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109TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
109-739

ACTIVITIES

OF THE

HOUSE COMMITTEE ON GOVERNMENT REFORM

ONE HUNDRED NINTH CONGRESS

FIRST AND SECOND SESSIONS

2005-2006

(Pursuant to House Rule XI, 1(d)(4))



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DECEMBER 29, 2006.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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WASHINGTON : 2006

COMMITTEE ON GOVERNMENT REFORM

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BENJAMIN CHANCE, *Clerk*

PHIL BARNETT, *Minority Chief of Staff/Chief Counsel*

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, December 29, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to House Rule XI, clause 1(d)(4),
I submit the enclosed the activities report of the Committee on
Government Reform for the 109th Congress.

TOM DAVIS,
Chairman.

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ACTIVITIES OF THE HOUSE COMMITTEE ON GOVERNMENT REFORM

DECEMBER 29, 2006.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DAVIS OF VIRGINIA, from the Committee on Government Reform, submitted the following

REPORT

ACTIVITIES OF THE HOUSE COMMITTEE ON GOVERNMENT REFORM, 109TH CONGRESS, 1ST AND 2D SESSIONS, 2005 AND 2006

FORWARD

In the 109th Congress, the committee and its seven subcommittees convened 256 investigative hearings on a very diverse portfolio of subjects, from contracting in Iraq to steroids in professional baseball.

On the legislative front, the Committee on Government Reform was very active promoting stronger management practices at Federal departments and agencies and improving the operations and effectiveness of Federal programs. Whether transforming the organizational structure of the General Services Administration or granting the right to vote to citizens of the Nation's Capitol, the committee remained focused on making the Federal Government more responsive to the needs of the people it serves.

At the committee's request, the Government Accountability Office [GAO] produced 359 reports, testimonies and briefings in support of oversight investigations and program reviews. As a result of the Government Reform Committees oversight, billions of dollars worth of outright savings, avoidable costs and increased revenues have been identified and captured.

In the course of that oversight, the committee and subcommittees uncovered wasteful spending, mismanagement, ineffective policy

implementation, and poor interagency coordination. Direct savings and other financial benefits identified as a result of the committee's GAO work alone now total \$6.5 billion.¹ Current oversight yielded savings in areas such as the Department of Defense excess property reutilization system (\$42 million) and information technology investments at the Department of Interior (\$80 million). Other quantifiable fiscal achievements accrued from earlier GAO reports to the committee.

I. JURISDICTION AND HISTORY OF THE COMMITTEE

The Committee on Government Reform serves both as the House of Representative's government operations committee and also as its chief investigative and oversight body, reviewing allegations of waste, fraud and mismanagement across the Federal Government. Alone among the House committees, the Committee on Government Reform has legislative jurisdiction over the operations of all Federal agencies including, human resources, information technology, procurement, and financial and general management policy. Unlike other House committees, the committee has the authority to conduct oversight and investigations outside of its legislative jurisdiction. The committee's unique legislative jurisdiction and oversight authority make it one of the most influential committees in the House of Representatives.

Congressman Tom Davis (R-VA) served as the chairman of the committee in the 108th and 109th Congress. The ranking minority member was Congressman Henry Waxman (D-CA).

The Committee on Government Reform first appeared in 1927 as the Committee on Expenditures in the Executive Departments. It was created by consolidating the 11 Committees on Expenditures previously responsible for overseeing how taxpayer moneys were spent at each executive branch department.

Under the Legislative Reorganization Act of 1946, the committee was renamed the Committee on Government Operations. The name change was intended to communicate the primary function of the committee to study "the operations of Government activities at all levels with a view to determining their economy and efficiency." The Government Operations Committee's oversight jurisdiction over all Federal agencies and departments was unprecedented in the legislative branch.

On January 4, 1995, Republicans assumed control of the House of Representatives for the first time in over 40 years. Republicans immediately implemented several internal reforms, including an initiative to reduce the number of standing committees in the House and cut committee staffs by one-third. The Committee on Government Reform exemplified the changes that took place in the House. Both the Committee on Post Office and Civil Service and the Committee on the District of Columbia were consolidated into the newly named Government Reform and Oversight Committee.

¹The total represents the net present value in fiscal year 2006 of financial benefits identified and accrued as a result of GAO findings and recommendations contained in work on which the Government Reform Committee was a requestor. The process used to calculate and review savings and other financial benefits attributed to GAO recommendations is described at length in the *Performance and Accountability Report for Fiscal Year 2005* at <http://www.gao.gov/new.items/d061sp.pdf>. Accessed Oct. 10, 2006. Savings and other benefits may be captured over 5 fiscal years.

The name change highlighted the Republican view that the Federal Government needed reform to ensure accountability. This consolidation of three committees into one resulted in millions of dollars in savings and a nearly 50 percent reduction in staff. At the start of the 107th Congress, the committee's name was shortened to the Committee on Government Reform.

House Rule X, clause 1(h) sets forth the committee's jurisdiction, functions, and responsibilities as follows:

1. The Federal Civil Service, including intergovernmental personnel; and the status of officers and employees of the United States, including their compensation, classification, and retirement.
2. Municipal affairs of the District of Columbia in general (other than appropriations).
3. Federal paperwork reduction.
4. Government management and accounting measures generally.
5. Holidays and celebrations.
6. Overall economy, efficiency, and management of government operations and activities, including Federal procurement.
7. National Archives.
8. Population and demography generally, including the Census.
9. Postal Service generally, including transportation of the mails.
10. Public information and records.
11. Relationship of the Federal Government to the States and municipalities generally.
12. Reorganizations in the executive branch of the Government.

Every standing committee, including the Committee on Government Reform, has general oversight responsibilities pursuant to House Rule X, clause 2. These responsibilities include the analysis, appraisal, and evaluation of Federal laws including the necessity or desirability of enacting new or additional legislation. The committees are also charged with determining whether laws and programs are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated. Each standing committee is required to review and study on a continuing basis the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction as well as the organization and operation of agencies within its jurisdiction.

In addition to its general oversight responsibilities, the Committee on Government Reform has the following special and additional functions:

Special oversight functions, Rule X, clause 3(e)

The Committee on Government Reform shall review and study on a continuing basis the operation of Government activities at all levels with a view to determining their economy and efficiency.

Additional functions of committees, Rule X clause 4(c)

- (1) The Committee on Government Reform shall—
 - (A) receive and examine reports of the Comptroller General of the United States and submit to the House such recommendations as it considers necessary or desirable in connection with the subject matter of the reports;

(B) evaluate the effects of laws enacted to reorganize the legislative and executive branches of the Government; and
 (C) study intergovernmental relationships between the United States and the States and municipalities and between the United States and international organizations of which the United States is a member.

(2) In addition to its duties under subparagraph (1), the Committee on Government Reform may at any time conduct investigations of any matter without regard to clause 1, 2, 3, or this clause conferring jurisdiction over the matter to another standing committee. The findings and recommendations of the committee in such an investigation shall be made available to any other standing committee having jurisdiction over the matter involved.

In the 109th Congress, the committee was composed of 39 members (21 Republicans, 17 Democrats and 1 Independent). The committee had seven subcommittees.

II. RULES OF THE COMMITTEE

U.S. HOUSE OF REPRESENTATIVES

109TH CONGRESS

Rule XI, clause 1(a)(1)(A) of the House of Representatives provides:

The Rules of the House are the rules of its committees and subcommittees so far as applicable.

Rule XI, clause 2(a)(1) of the House of Representatives provides, in part:

Each standing committee shall adopt written rules governing its procedure. * * *

In accordance with this, the Committee on Government Reform, on February 9, 2005, adopted the rules of the committee:

Rule 1.—Application of Rules

Except where the terms “full committee” and “subcommittee” are specifically referred to, the following rules shall apply to the Committee on Government Reform and its subcommittees as well as to the respective chairmen.

[See House Rule XI, 1.]

Rule 2.—Meetings

The regular meetings of the full committee shall be held on the second Tuesday of each month at 10 a.m., when the House is in session. The chairman is authorized to dispense with a regular meeting or to change the date thereof, and to call and convene additional meetings, when circumstances warrant. A special meeting of the committee may be requested by members of the committee following the provisions of House Rule XI, clause 2(c)(2). Subcommittees shall meet at the call of the subcommittee chairmen. Every member of the committee or the appropriate subcommittee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days before each meeting

or hearing explaining (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The ranking minority member shall be responsible for providing the same information on witnesses whom the minority may request.

[See House Rule XI, 2 (b) and (c).]

Rule 3.—Quorums

(a) A majority of the members of the committee shall form a quorum, except that two members shall constitute a quorum for taking testimony and receiving evidence, and one-third of the members shall form a quorum for taking any action other than the reporting of a measure or recommendation. If the chairman is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the committee or subcommittee who is present shall preside at that meeting.

(b) The chairman of the committee may, at the request of a subcommittee chairman, make a temporary assignment of any member of the committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, DC. Members appointed to such temporary positions shall not be voting members. The chairman shall give reasonable notice of such temporary assignment to the ranking members of the committee and subcommittee.

[See House Rule XI, 2(h).]

Rule 4.—Committee Reports

Bills and resolutions approved by the committee shall be reported by the chairman following House Rule XIII, clauses 2–4.

A proposed report shall not be considered in subcommittee or full committee unless the proposed report has been available to the members of such subcommittee or full committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in subcommittee or full committee. Any report will be considered as read if available to the members at least 24 hours before consideration, excluding Saturdays, Sundays, and legal holidays unless the House is in session on such days. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings available to the members of the subcommittee or full committee before the consideration of the proposed report in such subcommittee or full committee. Every investigative report shall be approved by a majority vote of the committee at a meeting at which a quorum is present.

Supplemental, minority, or additional views may be filed following House Rule XI, clause 2(l) and Rule XIII, clause 3(a)(1). The time allowed for filing such views shall be three calendar days, beginning on the day of notice, but excluding Saturdays, Sundays, and legal holidays (unless the House is in session on such a day), unless the committee agrees to a different time, but agreement on a shorter time shall require the concurrence of each member seeking to file such views.

An investigative or oversight report may be filed after sine die adjournment of the last regular session of Congress, provided that if a member gives timely notice of intention to file supplemental, minority or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report.

Only those reports approved by a majority vote of the committee may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

Rule 5.—Proxy Votes

In accordance with the Rules of the House of Representatives, members may not vote by proxy on any measure or matter before the committee or any subcommittee.

[See House Rule XI, 2(f).]

Rule 6.—Record Votes

A record vote of the members may be had upon the request of any member upon approval of a one-fifth vote of the members present.

Rule 7.—Record of Committee Actions

The committee staff shall maintain in the committee offices a complete record of committee actions from the current Congress including a record of the rollcall votes taken at committee business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the committee offices are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement.

[See House Rule XI, 2(e).]

Rule 8.—Subcommittees; Referrals

(a) There shall be seven standing subcommittees with appropriate party ratios. The chairman shall assign members to subcommittees. Minority party assignments shall be made only with the concurrence of the ranking minority member. The subcommittees shall have the following fixed jurisdictions:

(i) Subcommittee on National Security, Emerging Threats, and International Relations—All matters relating to the oversight of national security, emerging threats, veterans affairs, homeland security, and international relations, including anti-terrorism efforts, both foreign and domestic, and international trade.

(ii) Subcommittee on Criminal Justice, Drug Policy, and Human Resources—All matters relating to the criminal justice system, the Nation's counter-narcotics programs, both foreign and domestic, and food and drug safety; all matters relating to the oversight of the Judiciary, public health and welfare, education, arts, the humanities, publicly sponsored media, and the National Parks.

(iii) Subcommittee on Government Management, Finance, and Accountability—All matters relating to financial management of executive departments and agencies, excluding acquisition; all matters relating to governmental accounting measures; all matters relating to the overall efficiency and management of government operations including program assessment and review and excluding Federal property; all matters relating to public records, including Presidential records, the public access to records, advisory committees, and the Archives; and all matters relating to the oversight of financial services, government-sponsored enterprises, and the Nation's economic growth.

(iv) Subcommittee on and Regulatory Affairs—All matters relating to regulatory reform, congressional review, the costs of regulation, and paperwork reduction measures; and all matters relating to the oversight of tax policy.

(v) Subcommittee on Federalism and the Census—All matters relating to inter-governmental relations and aid to the States and localities, including unfunded mandates, grant management reform, brownfields clean-up and redevelopment, and infrastructure; all matters relating to population and demography generally, including the Census, and the Bureau of Economic Analysis. All matters relating to the oversight of housing and urban development.

(vi) Subcommittee on Energy and Resources—All matters related to the oversight of environmental policy, natural resources, and Federal land; and all matters related to the oversight of energy policy, commerce, housing, and urban development.

(vii) Subcommittee on the Federal Workforce and Agency Organization—All matters relating to the Federal Civil Service, including personnel, compensation, employment benefits and employee relations; all matters relating to reorganizations of the executive branch including the study of redundancy; and all matters relating to the oversight of workforce, retirement, and health policy.

(b) The full committee shall retain jurisdiction over Federal acquisition policy, Federal property, information management, technology policy, the Postal Service, and the District of Columbia.

(c) Bills, resolutions, and other matters shall be expeditiously referred by the chairman to subcommittees for consideration or investigation in accordance with their fixed jurisdictions. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdiction, the chairman shall refer the matter as he may deem advisable. Bills, resolutions, and other matters referred to subcommittees may be reassigned by the chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement therein. In a subcommittee having an even number of members, if there is a tie vote with all members voting on any measure, the measure shall be placed on the agenda for full committee consideration as if it had been ordered reported by the subcommittee without recommendation. This provision shall not preclude further action on the measure by the subcommittee.

Rule 9.—Ex Officio Members

The chairman and the ranking minority member of the committee shall be ex officio members of all subcommittees. They are authorized to vote on subcommittee matters; but, unless they are regular members of the subcommittee, they shall not be counted in determining a subcommittee quorum other than a quorum for taking testimony.

Rule 10.—Staff

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the chairman of the full committee shall have the authority to hire and discharge employees of the professional and clerical staff of the full committee and of subcommittees.

Rule 11.—Staff Direction

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the staff of the committee shall be subject to the direction of the chairman of the full committee and shall perform such duties as he may assign.

Rule 12.—Hearing Dates and Witnesses

(a) Each subcommittee of the committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full committee on any measure or matter referred to it.

(b) No subcommittee of the committee may meet or hold a hearing at the same time as a meeting or hearing of the committee.

(c) The chairman of each subcommittee shall set hearing and meeting dates only with the approval of the chairman with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of committee and subcommittee meetings or hearings.

(d) Each subcommittee chairman shall notify the chairman of any hearing plans at least two weeks before the date of commencement of hearings, including the date, place, subject matter, and the names of witnesses, willing and unwilling, who would be called to testify, including, to the extent he is advised thereof, witnesses whom the minority members may request.

(e) Witnesses appearing before the committee shall so far as practicable, submit written statements at least 24 hours before their appearance and, when appearing in a non governmental capacity, provide a curriculum vitae and a listing of any Federal Government grants and contracts received in the previous fiscal year.

[See House Rules XI, 2 (g)(3), (g)(4), (j) and (k).]

Rule 13.—Open Meetings

Meetings for the transaction of business and hearings of the committee shall be open to the public or closed in accordance with Rule XI of the House of Representatives.

[See House Rules XI, 2 (g) and (k).]

Rule 14.—Five-Minute Rule

(a) A committee member may question a witness only when recognized by the chairman for that purpose. In accordance with House Rule XI, clause 2(j)(2), each committee member may request up to five minutes to question a witness until each member who so desires has had such opportunity. Until all such requests have been satisfied, the chairman shall, so far as practicable, recognize alternately based on seniority of those majority and minority members present at the time the hearing was called to order and others based on their arrival at the hearing. After that, additional time may be extended at the direction of the chairman.

(b) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(c) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(d) Nothing in paragraph (2) or (3) affects the rights of a Member (other than a Member designated under paragraph (2)) to question a witness for 5 minutes in accordance with paragraph (1) after the questioning permitted under paragraph (2) or (3). In any extended questioning permitted under paragraph (2) or (3), the chairman shall determine how to allocate the time permitted for extended questioning by majority members or majority committee staff and the ranking minority member shall determine how to allocate the time permitted for extended questioning by minority members or minority committee staff. The chairman or the ranking minority member, as applicable, may allocate the time for any extended questioning permitted to staff under paragraph (3) to members.

Rule 15.—Investigative Hearing Procedures

Investigative hearings shall be conducted according to the procedures in House Rule XI, clause 2(k). All questions put to witnesses before the committee shall be relevant to the subject matter before the committee for consideration, and the chairman shall rule on the relevance of any questions put to the witnesses.

Rule 16.—Stenographic Record

A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the chairman may prescribe.

Rule 17.—Audio and Visual Coverage of Committee Proceedings

(a) An open meeting or hearing of the committee or a subcommittee may be covered, in whole or in part, by television broadcast, radio broadcast, Internet broadcast, and still photography, unless closed subject to the provisions of House Rule XI, clause 2(g). Any

such coverage shall conform with the provisions of House Rule XI, clause 4.

(b) Use of the Committee Broadcast System shall be fair and nonpartisan, and in accordance with House Rule XI, clause 4(b), and all other applicable rules of the House of Representatives and the Committee on Government Reform. Members of the committee shall have prompt access to a copy of coverage by the Committee Broadcast System, to the extent that such coverage is maintained.

(c) Personnel providing coverage of an open meeting or hearing of the committee or a subcommittee by Internet broadcast, other than through the Committee Broadcast System, shall be currently accredited to the Radio and Television Correspondents' Galleries.

Rule 18.—Additional Duties and Authorities of Chairman

The chairman of the full committee shall:

(a) Make available to other committees the findings and recommendations resulting from the investigations of the committee or its subcommittees as required by House Rule X, clause 4(c)(2);

(b) Direct such review and studies on the impact or probable impact of tax policies affecting subjects within the committee's jurisdiction as required by House Rule X, clause 2(c);

(c) Submit to the Committee on the Budget views and estimates required by House Rule X, clause 4(f), and to file reports with the House as required by the Congressional Budget Act;

(d) Authorize and issue subpoenas as provided in House Rule XI, clause 2(m), in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the committee;

(e) Prepare, after consultation with subcommittee chairmen and the minority, a budget for the committee which shall include an adequate budget for the subcommittees to discharge their responsibilities;

(f) Make any necessary technical and conforming changes to legislation reported by the committee upon unanimous consent;

(g) Designate a vice chairman from the majority party; and

(h) The chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

Rule 19.—Subjects of Stamps

The committee has adopted the policy that the determination of the subject matter of commemorative stamps and new semi-postal issues is properly for consideration by the Postmaster General and that the committee will not give consideration to legislative proposals specifying the subject matter of commemorative stamps and new semi-postal issues. It is suggested that recommendations for the subject matter of stamps be submitted to the Postmaster General.

Rule 20.—Panels and Task Forces

(a) The chairman of the committee is authorized to appoint panels or task forces to carry out the duties and functions of the committee.

(b) The chairman and ranking minority member of the committee may serve as ex-officio members of each panel or task force.

(c) The chairman of any panel or task force shall be appointed by the chairman of the committee. The ranking minority member shall select a ranking minority member for each panel or task force.

(d) The House and committee rules applicable to subcommittee meetings, hearings, recommendations and reports shall apply to the meetings, hearings, recommendations and reports of panels and task forces.

(e) No panel or task force so appointed shall continue in existence for more than six months. A panel or task force so appointed may, upon the expiration of six months, be reappointed by the chairman.

III. MEMBERS AND ORGANIZATION

ESTABLISHMENT OF SUBCOMMITTEES

In order to perform its functions and to carry out its duties as fully and as effectively as possible, the committee, under the leadership of Chairman Tom Davis at the beginning of the 109th Congress, established seven standing subcommittees, which cover the entire field of executive expenditures and operations.

MEMBERSHIP OF SUBCOMMITTEES

The committee appointed the chairmen and members of the subcommittees as follows:

Subcommittee on Criminal Justice, Drug Policy, and Human Resources, Mark E. Souder, chairman; members: Patrick T. McHenry, Dan Burton, John L. Mica, Gil Gutknecht, Steven C. LaTourette, Chris Cannon, Candice S. Miller, Virginia Foxx, Jean Schmidt, Elijah E. Cummings, Bernard Sanders, Danny K. Davis, Diane E. Watson, Linda T. Sanchez, C.A. Dutch Ruppersberger, Major R. Owens, and Eleanor Holmes Norton.

Subcommittee on Energy and Resources, Darrell E. Issa, chairman; members: Lynn A. Westmoreland, John M. McHugh, Patrick T. McHenry, Kenny Marchant, Brian P. Bilbray, Diane E. Watson, Brian Higgins, Tom Lantos, and Dennis J. Kucinich.

Subcommittee on Federalism and the Census, Michael R. Turner, chairman; members: Charles W. Dent, Christopher Shays, Virginia Foxx, Brian P. Bilbray, Wm. Lacy Clay, Paul E. Kanjorski, and Carolyn B. Maloney.

Subcommittee on the Federal Workforce and Agency Organization, John C. Porter, chairman; members: John L. Mica, Tom Davis, Darrell E. Issa, Kenny Marchant, Patrick T. McHenry, Jean Schmidt, Danny K. Davis, Major R. Owens, Eleanor Holmes Norton, Elijah E. Cummings, and Chris Van Hollen.

Subcommittee on Government Management, Finance, and Accountability, Todd Russell Platts, chairman; members: Virginia

Foxx, Tom Davis, Gil Gutknecht, Mark E. Souder, John J. Duncan, Jr., Edolphus Towns, Major R. Owens, Paul E. Kanjorski, and Carolyn B. Maloney.

Subcommittee on National Security, Emerging Threats, and International Relations, Christopher Shays, chairman; members: Kenny Marchant, Dan Burton, Ileana Ros-Lehtinen, John M. McHugh, Steven C. LaTourette, Todd Russell Platts, John J. Duncan, Jr., Michael R. Turner, Jon C. Porter, Charles W. Dent, Dennis J. Kucinich, Tom Lantos, Bernard Sanders, Carolyn B. Maloney, Chris Van Hollen, Linda T. Sanchez, C.A. Dutch Ruppersberger, Stephen F. Lynch, and Brian Higgins.

Subcommittee on Regulatory Affairs, Candice S. Miller, chairwoman; members: Chris Cannon, Michael R. Turner, Lynn A. Westmoreland, Jean Schmidt, Stephen F. Lynch, Wm. Lacy Clay, and Chris Van Hollen.

PART ONE: LEGISLATIVE ACTIVITIES

I. LEGISLATIVE ACCOMPLISHMENTS

The Committee on Government Reform was very active in the 109th Congress improving the operations and effectiveness of the Federal Government. Significant reforms were made to modernize the U.S. Postal Service, promote stronger management practices at Federal departments and agencies, revitalize the Nation's emergency response infrastructure, protect employees from discrimination, prevent the undue influence of outside interest groups in the operations of the Federal Government, advance our Nation's efforts to reduce the presence of illegal narcotics in society, improve the transportation system serving the Nation's Capital, and advance voting representation in the House of Representatives for the District of Columbia. All of these initiatives were crafted with an eye toward making the Federal Government more efficient and effective, thereby saving taxpayer dollars.

Modernizing the U.S. Postal Service

H.R. 6407, the Postal Accountability and Enhancement Act, was passed by both houses of Congress on the last day of the 109th Congress. H.R. 22, the original version of the "Postal Accountability and Enhancement Act," passed the House in July 2005 by a vote of 410–20, and the Senate passed its version of H.R. 22 by unanimous consent in February 2006. H.R. 6407 reflects a recent bipartisan agreement between the House, Senate and administration on postal reform legislation. This landmark legislation mandates transparency in the Service's finances, costs, and operations; creates a modern system of rate regulation; establishes fair competition rules and a powerful new regulator to oversee operations; addresses the Postal Service's universal service obligation and the scope of the mail monopoly, and institutes improvements to the collective bargaining process. The U.S. Postal Service is the center of a \$900 billion industry employing 9 million workers nationwide. Each year, USPS processes and delivers over 200 billion pieces of mail to more than 130 million households and businesses in the United States. However, the last major overhaul of the statutes governing the Postal Service occurred in 1970, before the Internet and emails, before letters became "snail mail," before the de-regulation of the airline industry, before competitors like FedEx even existed. Today, this critical component of our Nation's economy is being challenged by a variety of factors including decreasing volume, insufficient revenue, mounting debts, and new technologies such as Internet advertising, electronic bill payments, emails and faxes. As a result, the GAO has included the Postal Service on its "High-Risk Series" since 2001.

Promoting Stronger Management Practices at Federal Departments and Agencies

The committee took a proactive role in improving government efficiency by approving the Program Assessment and Results Act, the Government Efficiency Act, and the Truth in Regulating Act reauthorization. These measures, along with several others adopted by the committee, demonstrated the committee's commitment to championing improved management practices at Federal departments and agencies.

Revitalizing the Nation's Emergency Response Infrastructure

The committee played an integral role in congressional efforts to establish a new, stronger Federal Emergency Management Agency within the Department of Homeland Security following the investigation conducted by the Select Bipartisan Committee on Katrina. As a result of those efforts, FEMA now has a direct line of communication to the President in the event of an emergency to prevent communication breakdowns at the Federal level in future disasters. In addition, the committee included in the legislation key provisions to address waste, fraud and mismanagement challenges that plagued the Department of Homeland Security in its response and recovery efforts after Hurricane Katrina.

Protecting Employees from Discrimination

By a vote of 34–1, the committee adopted legislation to modernize, clarify and expand the Federal employee whistleblower protection laws. One of the most significant reforms included in the legislation was allowing a Federal employee to have his or her claim decided in Federal district court if the Office of Special Counsel [OSC] does not take action within 180 days in response to a whistleblower complaint filed with them. This would include a right to a jury trial. Under current law, the only recourse for most Federal whistleblowers is the Merit Systems Protection Board [MSPB]. In addition to this structural change, the legislation includes provisions aimed at clarifying congressional intent in response to Federal court rulings regarding whistleblower claims that have been issued over the past decade.

Preventing the Undue Influence of Outside Interest Groups in the Operations of the Federal Government

In response to reports of undue influence by lobbyists upon Members of Congress and other Federal officials, the committee approved legislation to deny Federal pensions for Federal officials convicted of accepting bribes, defrauding the Federal Government, embezzling Federal property, or falsifying Federal documents. In addition, by a vote of 32–0, the committee approved legislation to provide enhanced transparency to the operations of the executive branch by ensuring that the behavior of our public servants is above reproach and worthy of the public trust. The legislation struck a balance between reasonable and focused rules of ethical behavior and arbitrary restrictions and prohibitions that hamstring our officials and prevent them from exercising the discretion needed to perform their missions on behalf of our citizens. The intent

of both initiatives was to enhance the public's trust in our Federal Government.

Advance Our Nation's Efforts to Reduce the Presence of Illegal Narcotics in Society

The committee unanimously adopted legislation to reauthorize the Office of National Drug Control Policy and to make it more efficient by reducing outdated reporting and structural requirements required by law. The legislation also improves ONDCP and its programs by enhancing effectiveness and accountability in drug treatment and requiring greater diligence in addressing our Nation's methamphetamine epidemic. Ultimately the legislation gave ONDCP the necessary tools to reduce illicit drug use, manufacturing, trafficking, drug-related crime and violence and drug-related health consequences. In doing so, the legislation reaffirmed our Nation's commitment to continuing the war on the supply side of the drug equation while reaffirming our commitment to addressing the demand side as well.

Improving the Transportation System Serving the Nation's Capital

The committee unanimously approved legislation to establish critical new oversight and accountability mechanisms for the Washington Metropolitan Area Transit Authority [WMATA], including an Inspector General and an increased Federal presence on WMATA's Board of Directors. In addition, for the fifth time since President Eisenhower signed the original legislation in 1960, the legislation reauthorizes the Federal Government's commitment to authorizing Federal funding for WMATA maintenance and operations. With over half of Metro's riders at peak times being Federal employees and contractors, and Metro's record riderships occurring during historic events where people from all over the country flock to the Nation's Capital to honor their Federal Government, it is essential that the Federal Government continue to contribute to the transit system's operations. However, unlike previous authorizations, this WMATA authorizes makes the Federal funds contingent upon the three localities of Virginia, Maryland and the District of Columbia matching any Federal contribution to WMATA.

Advancing Voting Representation in the House of Representatives for the District of Columbia

By a vote of 29–4, the committee approved bipartisan legislation to give citizens of the District of Columbia direct representation in the House of Representatives. The legislation contained two main features. First, it treated the District as a congressional district for the purpose of granting full House representation. Second, it increased the size of the House by two Members. In increasing the size of the House, the bill follows the historic House tradition of increasing representation in a non-partisan manner.

Strengthening Professional Sports Drug Testing Policies

H.R. 2565, the Clean Sports Act of 2005, was approved by the Committee on Government Reform by unanimous consent in May 2005. The legislation sought to strengthen the testing procedures and toughen the penalties for the use of performance-enhancing

drugs in professional American sports. H.R. 2565 was the product of months of committee work—three congressional hearings and an ongoing investigation into the use of steroids and other performance-enhancing drugs. As a result of the pressure imposed upon the professional sports leagues by the committee’s investigative and legislative work, the leagues strengthened their internal drug testing programs and policies. Consequently the committee decided not to pursue enactment of the Clean Sports Act during the 109th Congress. However, the committee intends to monitor the situation and may decide to take action in the future if necessary.

Reauthorizing the Office of National Drug Control Policy

H.R. 6344, the Office of National Drug Control Policy Reauthorization Act, was passed by both houses of Congress on the second to last day of the 109th Congress. H.R. 2829, the original version of the “Office of National Drug Control Policy Reauthorization Act,” passed the House in March 2006 by a vote of 399–5. H.R. 6344 reflects a recent bipartisan agreement between the House, Senate and administration on reauthorization of the Office of National Drug Control Policy [ONDCP]. The legislation makes ONDCP more efficient by reducing outdated reporting and structural requirements required by current law. The bill also improves ONDCP and its programs by enhancing effectiveness and accountability in drug treatment and requiring greater diligence in addressing out Nation’s methamphetamine epidemic. The legislation reforms the National Youth Anti-Drug Media Campaign—which coordinates anti-drug advertising—and the High Intensity Drug Trafficking Areas program—which involves coordination among Federal, State and local law enforcement—to make them more effective. Both programs have grown in ways that were not originally intended, and the bill reflects the desire to ensure they remain accountable and dedicated to their core purposes.

A. LEGISLATION ENACTED INTO LAW

1. *H.R. 368: To establish and rapidly implement regulations for State driver’s license and identification document security standards*

a. *Sponsor*.—Representative Davis, Tom [R–VA–11] (introduced 1/26/2005).

b. *Legislative History*.—1/26/2005: Referred to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 1/26/2005: Referred to House Committee on Government Reform 1/26/2005: Referred to House Committee on Judiciary 3/2/2005: Referred to the Subcommittee on Immigration, Border Security, and Claims.

*Related legislation was enacted into law as Division B of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005REAL ID Act of 2005. Public Law 109–13.

2. *H.R. 2066: To amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes*

a. *Sponsor*.—Representative Davis, Tom [R–VA–11] (introduced 5/4/2005).

b. *Legislative History*.—5/4/2005: Referred to the House Committee on Government Reform. 5/5/2005: Committee Consideration and Mark-up Session Held. 5/5/2005: Ordered to be Reported (Amended) by Voice Vote. 5/23/2005 2:14 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–91. 5/23/2005 2:14 p.m.: Placed on the Union Calendar, Calendar No. 48. 5/23/2005 3:42 p.m.: Ms. Ros-Lehtinen moved to suspend the rules and pass the bill, as amended. 5/23/2005 3:42 p.m.: Considered under suspension of the rules. 5/23/2005 3:52 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 5/23/2005 3:52 p.m.: Motion to reconsider laid on the table Agreed to without objection. 5/24/2005: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 5/2/2006: Committee on Homeland Security and Governmental Affairs. Ordered to be reported with amendments favorably. 5/25/2006: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins with amendments. With written report No. 109–257. 5/25/2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 449. 9/6/2006: Measure laid before Senate by unanimous consent. 9/6/2006: Passed Senate with amendments by Unanimous Consent. 9/7/2006: Message on Senate action sent to the House. 9/25/2006 4:59 p.m.: Mr. Davis, Tom moved that the House suspend the rules and agree to the Senate amendments. 9/25/2006 5:04 p.m.: On motion that the House suspend the rules and agree to the Senate amendments Agreed to by voice vote. 9/25/2006 5:04 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/25/2006: Cleared for White House. 9/29/2006: Presented to President. 10/6/2006: Signed by President. 10/6/2006: Became Public Law No: 109–313.

3. *H.R. 2385: To extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program*

a. *Sponsor*.—Representative Turner, Michael R. [R–OH–3] (introduced 5/17/2005).

b. *Legislative History*.—5/17/2005: Referred to the House Committee on Government Reform. 5/17/2005: Referred to the Subcommittee on Federalism and the Census. 6/14/2005: Subcommittee Consideration and Mark-up Session Held. 6/14/2005: Forwarded by Subcommittee to Full Committee (Amended) by Unanimous Consent. 6/16/2005: Committee Consideration and Mark-up Session Held. 6/16/2005: Ordered to be Reported (Amended) by Voice Vote. 7/12/2005 3:13 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–164. 7/12/2005 3:13 p.m.: Placed on the Union Calendar, Calendar No. 101. 7/13/2005 11:13 a.m.: Mr. Turner moved to suspend the rules and pass the bill, as amended. 7/13/2005 11:13 a.m.: Considered under suspension of the rules. 7/13/2005 11:24 a.m.: On motion to suspend the rules and

pass the bill, as amended Agreed to by voice vote. 7/13/2005 11:24 a.m.: Motion to reconsider laid on the table Agreed to without objection. 7/13/2005 11:24 a.m.: The title of the measure was amended. Agreed to without objection. 7/14/2005: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. 7/19/2005: Senate Committee on Commerce, Science, and Transportation discharged by Unanimous Consent. 7/19/2005: Referred to the Committee on Homeland Security and Governmental Affairs. 7/19/2005: Senate vitiated previous referral and discharge by Unanimous Consent. 7/21/2005: Senate Committee on Commerce, Science, and Transportation discharged by Unanimous Consent. 7/21/2005: Referred to the Committee on Homeland Security and Governmental Affairs. 9/26/2005: Senate Committee on Homeland Security and Governmental Affairs discharged by Unanimous Consent. 9/26/2005: Passed Senate without amendment by Unanimous Consent. 9/26/2005: Cleared for White House. 9/27/2005: Message on Senate action sent to the House. 9/29/2005: Presented to President. 9/30/2005: Signed by President. 9/30/2005: Became Public Law No: 109–79.

4. *H.R. 3508: To authorize improvements in the operation of the government of the District of Columbia, and for other purposes*

a. *Sponsor.*—Representative Davis, Tom [R–VA–11] (introduced 7/28/2005).

b. *Legislative History.*—7/28/2005: Referred to the House Committee on Government Reform. 9/15/2005: Committee Consideration and Mark-up Session Held. 9/15/2005: Ordered to be Reported (Amended) by Voice Vote. 11/3/2005 6:30 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–267. 11/3/2005 6:31 p.m.: Placed on the Union Calendar, Calendar No. 146. 12/14/2005 7:22 p.m.: Mr. Porter moved to suspend the rules and pass the bill, as amended. 12/14/2005 7:23 p.m.: Considered under suspension of the rules. 12/14/2005 7:31 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 12/14/2005 7:31 p.m.: Motion to reconsider laid on the table Agreed to without objection. 12/15/2005: Received in the Senate. 1/27/2006: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 2/28/2006: Committee on Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia. Hearings held. 3/28/2006: Committee on Homeland Security and Governmental Affairs referred to Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia. 6/15/2006: Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably. 7/25/2006: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins with an amendment in the nature of a substitute. Without written report. 7/25/2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 534. 8/3/2006: Measure laid before Senate by unanimous consent. 8/3/2006: The committee substitute agreed to by Unanimous Consent. 8/3/2006: Passed Senate with an amendment by Unanimous Consent. 8/4/2006: Message on Senate action sent to the House. 9/

25/2006 5:04 p.m.: Mr. Davis, Tom moved that the House suspend the rules and agree to the Senate amendment. 9/25/2006 5:08 p.m.: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote. 9/25/2006 5:08 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/25/2006: Cleared for White House. 10/5/2006: Presented to President. 10/16/2006: Signed by President. 10/16/2006: Became Public Law No. 109–356.

5. *H.R. 3699: To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes*

a. *Sponsor*.—Representative Davis, Tom [R–VA–11] (introduced 9/8/2005).

b. *Legislative History*.—9/8/2005: Referred to the Committee on Government Reform, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 9/8/2005: Referred to House Government Reform 9/29/2005: Committee Consideration and Mark-up Session Held. 9/29/2005: Ordered to be Reported (Amended) by Voice Vote. 9/8/2005: Referred to other House committees. Reported (Amended) by the Committee on Government Reform. Placed on the Union Calendar, Calendar No. 200. 9/30/2006 12:33 a.m.: Mr. Davis, Tom asked unanimous consent to take from the Speaker's table and consider. 9/30/2006 12:33 a.m.: Considered by unanimous consent. 9/30/2006 12:34 a.m.: On passage Passed without objection. 9/30/2006 12:34 a.m.: Motion to reconsider laid on the table Agreed to without objection. 9/30/2006: Received in the Senate. 11/15/2006: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 11/16/2006: Senate Committee on Homeland Security and Governmental Affairs discharged by Unanimous Consent. 11/16/2006: Referred to the Committee on Energy and Natural Resources. 11/16/2006: Senate Committee on Energy and Natural Resources discharged by Unanimous Consent. 11/16/2006: Passed Senate without amendment by Unanimous Consent. 11/17/2006: Message on Senate action sent to the House.

6. *H.R. 4436: To provide certain authorities for the Department of State, and for other purposes*

a. *Sponsor*.—Representative Smith, Christopher H. [R–NJ–4] (introduced 12/6/2005).

b. *Legislative History*.—12/6/2005: Referred to the Committee on International Relations, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 12/6/2005: Referred to House International Relations 12/6/2005: Referred to House Government Reform 12/14/2005 9:01 p.m.: Mr. Smith (NJ) moved to suspend the rules and pass the bill, as amended. 12/14/2005 9:02 p.m.: Considered under suspension of the rules. 12/14/2005 9:08 p.m.: On motion to suspend the rules and pass the bill,

as amended Agreed to by voice vote. 12/14/2005 9:08 p.m.: Motion to reconsider laid on the table Agreed to without objection. 12/15/2005: Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. 12/15/2005: Message on Senate action sent to the House. 12/15/2005: Cleared for White House. 12/17/2005: Presented to President. 12/22/2005: Signed by President. 12/22/2005: Became Public Law No. 109–140.

7. *H.R. 5316: To reestablish the Federal Emergency Management Agency as a cabinet-level independent establishment in the executive branch that is responsible for the Nation's preparedness for, response to, recovery from, and mitigation against disasters, and for other purposes*

a. *Sponsor*.—Representative Young, Don [R-AK] (introduced 5/9/2006).

b. *Legislative History*.—5/9/2006: Referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 5/9/2006: Referred to House Transportation and Infrastructure Committee 5/10/2006: Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management. 5/17/2006: Subcommittee on Economic Development, Public Buildings and Emergency Management Discharged. 5/17/2006: Committee Consideration and Mark-up Session Held. 5/17/2006: Ordered to be Reported (Amended) by Voice Vote. 5/9/2006: Referred to House Homeland Security Committee 5/9/2006: Referred to House Government Reform Committee 5/18/2006: Committee Consideration and Mark-up Session Held. 5/18/2006: Ordered to be Reported (Amended) by Voice Vote. 6/22/2006 6:22 p.m.: Mr. Shuster asked unanimous consent that the Committee on Transportation have until midnight on June 23 to file a report on H.R. 5316. Agreed to without objection. 6/22/2006 6:33 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–519, Part I.

*Related legislation was enacted into law as Title VI, Subtitle A, Fiscal Year 2007 Department of Homeland Security Appropriations Act. Public Law 109–295.

8. *H.R. 5877: To amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006*

a. *Sponsor*.—Representative Ros-Lehtinen, Ileana [R-FL–18] (introduced 7/25/2006).

b. *Legislative History*.—7/25/2006: Referred to the Committee on International Relations, and in addition to the Committees on Financial Services, Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 7/25/2006: Referred to House International Relations Committee 7/25/2006: Referred to House Financial Services 7/25/2006: Referred to House Ways and Means 7/25/

2006: Referred to House Government Reform 7/26/2006 10:07 p.m.: Ms. Ros-Lehtinen moved to suspend the rules and pass the bill. 7/26/2006 10:07 p.m.: Considered under suspension of the rules. 7/26/2006 10:15 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 7/26/2006 10:15 p.m.: Motion to reconsider laid on the table Agreed to without objection. 7/27/2006: Received in the Senate, read twice. 7/31/2006: Passed Senate without amendment by Unanimous Consent. 7/31/2006: Cleared for White House. 8/1/2006: Message on Senate action sent to the House. 8/2/2006: Presented to President. 8/4/2006: Signed by President. 8/4/2006: Became Public Law No. 109–267.

9. *H.R. 6344: To reauthorize the Office of National Drug Control Policy Act*

a. *Sponsor*.—Representative Souder, Mark [R-IN–3] (introduced 12/5/2006).

b. *Legislative History*.—12/5/2006: Referred to the House Committees on Government Reform, Energy and Commerce, Judiciary, Armed Services Committee, Intelligence (Permanent Select). 12/7/2006 3:49 p.m.: Mr. Souder, Mark moved to suspend the rules and pass the bill, as amended. 12/7/2006 3:50 p.m.: Considered under suspension of the rules. 12/7/2006 4:19 p.m.: On motion to suspend the rules and pass the bill, as amended. Agreed to by voice vote. 12/7/2006 4:19 p.m.: Motion to reconsider laid on the table Agreed to without objection. 12/7/2006: Received in the Senate, read twice. 12/8/2006: Passed Senate without amendment by Unanimous Consent. 12/8/2006: Cleared for White House.

10. *H.R. 6407: To reform the postal laws of the United States*

a. *Sponsor*.—Representative Davis, Tom [R-VA–11] (introduced 12/7/2006).

b. *Legislative History*.—12/7/2006: Referred to the House Committee on Government Reform. 12/8/2006 10:10 p.m.: Mr. Davis, Tom moved to suspend the rules and pass the bill, as amended. 12/8/2006 10:11 p.m.: Considered under suspension of the rules. 12/8/2006 10:33 p.m.: On motion to suspend the rules and pass the bill, as amended. Agreed to be voice vote. 12/8/2006 10:33 p.m.: Motion to reconsider laid on the table Agreed to without objection. 12/8/2006: Received in the Senate, read twice. 12/9/2006: Passed Senate without amendment by Unanimous Consent. 12/9/2006: Cleared for White House.

11. *S. 37: to extend the special postage stamp for breast cancer research for 2 years*

a. *Sponsor*.—Senator Feinstein, Dianne [D-CA] (introduced 1/24/2005).

b. *Legislative History*.—1/24/2005: Introductory remarks on measure. 1/24/2005: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 6/22/2005: Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably. 9/26/2005: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins without amendment. With written report No. 109–140. 9/26/2005: Placed on Senate Legislative Calendar under General Or-

ders. Calendar No. 221. 9/27/2005: Passed Senate without amendment by Unanimous Consent. 9/28/2005 11:06 a.m.: Received in the House. 9/28/2005: Message on Senate action sent to the House. 9/28/2005: Referred to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 9/28/2005: Referred to House Government Reform 10/20/2005: Committee Consideration and Mark-up Session Held. 10/20/2005: Ordered to be Reported by Unanimous Consent. 9/28/2005: Referred to House Energy and Commerce 10/7/2005: Referred to the Subcommittee on Health, for a period to be subsequently determined by the chairman. 9/28/2005: Referred to House Armed Services 10/5/2005: Referred to the Subcommittee on Military Personnel. 10/27/2005 4:26 p.m.: Committee on Government Reform discharged. 10/27/2005 4:26 p.m.: Committee on Energy and Commerce discharged. 10/27/2005 4:26 p.m.: Committee on Armed Services discharged. 10/27/2005 4:26 p.m.: Ms. Foxx asked unanimous consent to discharge from committee and consider. 10/27/2005 4:26 p.m.: Considered by unanimous consent. 10/27/2005 4:26 p.m.: On passage Passed without objection. 10/27/2005 4:26 p.m.: Motion to reconsider laid on the table Agreed to without objection. 10/27/2005: Cleared for White House. 10/31/2005: Presented to President. 11/11/2005: Signed by President. 11/11/2005: Became Public Law No. 109–100.

12. *S. 384: A bill to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years*

a. Sponsor.—Senator DeWine, Mike [R–OH] (introduced 2/15/2005).

b. Legislative History.—2/15/2005: Introduced in the Senate. Read twice. Ordered Placed on Senate Legislative Calendar under General Orders. Calendar No. 6. 2/16/2005: Measure laid before Senate by unanimous consent. 2/16/2005: Passed Senate without amendment by Voice Vote. 2/17/2005 10:03 a.m.: Received in the House. 2/17/2005: Message on Senate action sent to the House. 2/17/2005: Referred to the House Committee on Government Reform. 3/10/2005: Committee Consideration and Mark-up Session Held. 3/10/2005: Ordered to be Reported. 3/14/2005 4:25 p.m.: Mr. Shays moved to suspend the rules and pass the bill. 3/14/2005 4:25 p.m.: Considered under suspension of the rules. 3/14/2005 4:41 p.m.: At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed. 3/14/2005 7:03 p.m.: Considered as unfinished business. 3/14/2005 7:19 p.m.: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 391–0. 3/14/2005 7:19 p.m.: Motion to reconsider laid on the table Agreed to without objection. 3/14/2005: Cleared for White House. 3/18/2005: Presented to President. 3/25/2005: Signed by President. 3/25/2005: Became Public Law No. 109–5.

13. *S. 1736: A bill to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies*

a. *Sponsor*.—Senator Collins, Susan M. [R-ME] (introduced 9/20/2005).

b. *Legislative History*.—9/20/2005: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 9/22/2005: Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably. 9/27/2005: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins without amendment. Without written report. 9/27/2005: Placed on Senate Legislative Calendar under General Orders. Calendar No. 227. 10/19/2005: Passed Senate without amendment by Unanimous Consent. 10/20/2005 10:00 a.m.: Received in the House. 10/20/2005: Message on Senate action sent to the House. 10/20/2005: Referred to the House Committee on Government Reform. 3/9/2006: Committee Consideration and Mark-up Session Held. 3/9/2006: Ordered to be Reported by Voice Vote. 10/20/2005: By Senator Collins from Committee on Homeland Security and Governmental Affairs filed written report. Report No. 109–158. 5/2/2006 6:42 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–449. 5/2/2006 6:42 p.m.: Placed on the Union Calendar, Calendar No. 251. 5/22/2006 3:07 p.m.: Mr. Shays moved to suspend the rules and pass the bill. 5/22/2006 3:07 p.m.: Considered under suspension of the rules. 5/22/2006 3:12 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 5/22/2006 3:12 p.m.: Motion to reconsider laid on the table Agreed to without objection. 5/22/2006: Cleared for White House. 5/25/2006: Presented to President. 5/31/2006: Signed by President. 5/31/2006: Became Public Law No. 109–229.

14. *S. 2146: A bill to extend relocation expenses test programs for Federal employees*

a. *Sponsor*.—Senator Collins, Susan M. [R-ME] (introduced 12/20/2005).

b. *Legislative History*.—12/20/2005: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 1/27/2006: Committee on Homeland Security and Governmental Affairs referred to Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia. 6/15/2006: Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably. 7/21/2006: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins without amendment. With written report No. 109–289. 7/21/2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 528. 8/1/2006: Passed Senate without amendment by Unanimous Consent. 8/2/2006 11:04 a.m.: Received in the House. 8/2/2006: Message on Senate action sent to the House. 8/2/2006: Referred to the House Committee on Government Reform. 9/28/2006 3:29 p.m.: Mr. Westmoreland moved to suspend the rules and pass the bill. 9/28/2006 3:30 p.m.: Considered under suspension of the rules. 9/28/2006 3:33 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 9/28/2006 3:33 p.m.: Motion to reconsider laid on the table Agreed to

without objection. 9/28/2006: Cleared for White House. 10/2/2006: Presented to President. 10/11/2006: Signed by President. 10/11/2006: Became Public Law No. 109–325.

15. *S. 2590: A bill to require full disclosure of all entities and organizations receiving Federal funds*

a. Sponsor.—Senator Coburn, Tom [R–OK] (introduced 4/6/2006).

b. Legislative History.—4/6/2006: Introductory remarks on measure. 4/6/2006: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 7/18/2006: Committee on Homeland Security and Governmental Affairs Subcommittee on Federal Financial Management, Government Information, and International Security. Hearings held. 7/27/2006: Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably. 8/2/2006: Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins with an amendment in the nature of a substitute. Without written report. 8/2/2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 576. 9/7/2006: Passed Senate with an amendment by Unanimous Consent. 9/8/2006: Message on Senate action sent to the House. 9/8/2006: By Senator Collins from Committee on Homeland Security and Governmental Affairs filed written report. Report No. 109–329. Additional views filed. 9/8/2006 2:03 p.m.: Received in the House. 9/8/2006 3:42 p.m.: Held at the desk. 9/13/2006 7:34 p.m.: Mr. Davis, Tom moved to suspend the rules and pass the bill. 9/13/2006 7:34 p.m.: Considered under suspension of the rules. 9/13/2006 7:50 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 9/13/2006 7:50 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/13/2006 7:51 p.m.: Pursuant to the provisions of S. Con. Res. 114, enrollment corrections on S. 2590 have been made. 9/13/2006: Cleared for White House. 9/18/2006: Presented to President. 9/26/2006: Signed by President. 9/26/2006: Became Public Law No. 109–282.

*House version of legislation was H.R. 5060.

B. LEGISLATION CONSIDERED BY HOUSE

1. *H.R. 22: To reform the postal laws of the United States*

a. Sponsor.—Representative McHugh, John M. [R–NY–23] (introduced 1/4/2005).

b. Legislative History.—1/4/2005: Referred to the House Committee on Government Reform. 4/13/2005: Committee Consideration and Mark-up Session Held. 4/13/2005: Ordered to be Reported (Amended) by the Yeas and Nays: 39–0. 4/28/2005 10:23 p.m.: Reported (Amended) by the Committee on 109–66, Part I. 4/28/2005: Referred sequentially to other House committees. Placed on the Union Calendar, Calendar No. 55. 7/26/2005 9:52 p.m.: On passage Passed by recorded vote: 410–20. 7/27/2005: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 176. 2/9/2006: Measure laid before Senate by unanimous consent. 2/9/2006: Senate struck all after the Enacting Clause and substituted the language of S. 662 amended. 2/9/2006: Passed Senate with an amendment by Unanimous Consent. 2/9/

2006: Senate insists on its amendment, asks for a conference, appoints conferees Collins; Stevens; Voinovich; Coleman; Bennett; Lieberman; Akaka; Carper. 2/10/2006: Message on Senate action sent to the House.

2. *H.R. 1817: To authorize appropriations for fiscal year 2006 for the Department of Homeland Security, and for other purposes*

a. *Sponsor*.—Representative Cox, Christopher [R-CA-48] (introduced 4/26/2005).

b. *Legislative History*.—4/26/2005: Referred to the House Committee on Homeland Security. 4/27/2005: Committee Consideration and Mark-up Session Held. 4/27/2005: Ordered to be Reported (Amended) by Voice Vote. 5/3/2005 9:49 p.m.: Reported (Amended) by the committee on 109–71, Part I. 5/3/2005: Referred jointly and sequentially to the House Committee on Energy and Commerce for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f), rule X. 5/11/2005: Ordered to be Reported (Amended) by Voice Vote. 5/3/2005: Referred jointly and sequentially to the House Committee on Government Reform for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h), rule X. 5/3/2005: Referred jointly and sequentially to the House Committee on the Judiciary for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(i), rule X. 5/12/2005: Committee Consideration and Mark-up Session Held. 5/12/2005: Ordered to be Reported (Amended) by Voice Vote. 5/3/2005: Referred jointly and sequentially to the House Committee on Science for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(o), rule X. 5/3/2005: Referred jointly and sequentially to the House Committee on Transportation and Infrastructure for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(r), rule X. 5/3/2005: Referred jointly and sequentially to the House Committee on Ways and Means for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(t), rule X. 5/3/2005: Referred jointly and sequentially to the House Committee on Intelligence (Permanent Select) for a period ending not later than May 13, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 11(b) of rule X. 5/13/2005 5:50 p.m.: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109–71, Part II. 5/13/2005 11:44 p.m.: Reported (Amended) by the Committee on Judiciary. H. Rept. 109–71, Part III. 5/13/2005 11:44 p.m.: Committee on Government Reform discharged. 5/13/2005 11:44 p.m.: Committee on Science discharged. 5/13/2005 11:44 p.m.: Committee on Transportation discharged. 5/13/2005 11:44 p.m.: Committee on Ways and Means discharged. 5/13/2005 11:45

p.m.: Committee on Intelligence (Permanent) discharged. 5/13/2005 11:45 p.m.: Placed on the Union Calendar, Calendar No. 40. 5/18/2005 6:47 p.m.: The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. 5/18/2005 7:25 p.m.: On passage Passed by recorded vote: 424–4 (Roll No. 189). 5/18/2005 7:25 p.m.: Motion to reconsider laid on the table Agreed to without objection. 5/19/2005: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

3. *H.R. 3496: To amend the National Capital Transportation Act of 1969 to authorize additional Federal contributions for maintaining and improving the transit system of the Washington Metropolitan Area Transit Authority, and for other purposes*

a. *Sponsor.*—Representative Davis, Tom [R–VA–11] (introduced 7/28/2005).

b. *Legislative History.*—7/28/2005: Referred to the House Committee on Government Reform. 10/20/2005: Committee Consideration and Mark-up Session Held. 10/20/2005: Ordered to be Reported (Amended) by Voice Vote. 4/26/2006 9:30 p.m.: Reported (Amended) by the Committee on Government Reform. 4/26/2006 9:31 p.m.: Placed on the Union Calendar, Calendar No. 245. 7/17/2006 2:25 p.m.: Mr. Davis, Tom moved to suspend the rules and pass the bill, as amended. 7/17/2006 2:26 p.m.: Considered under suspension of the rules. 7/17/2006 3:09 p.m.: At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed. 7/17/2006 6:56 p.m.: Considered as unfinished business. 7/17/2006 7:06 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required); 242–120. 7/17/2006 7:06 p.m.: Motion to reconsider laid on the table Agreed to without objection. 7/18/2006: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 7/19/2006: Committee on Homeland Security and Governmental Affairs referred to Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia.

4. *H.R. 4057: To provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code*

a. *Sponsor.*—Representative Porter, Jon C. [R–NV–3] (introduced 10/17/2005).

b. *Legislative History.*—10/17/2005: Referred to the House Committee on Government Reform. 10/20/2005: Committee Consideration and Mark-up Session Held. 10/20/2005: Ordered to be Reported by Voice Vote. 3/14/2006 4:16 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–390. 3/14/2006 4:16 p.m.: Placed on the Union Calendar, Calendar No. 212. 3/28/2006 3:16 p.m.: Mr. Porter moved to suspend the rules and pass the bill, as amended. 3/28/2006 3:16 p.m.: Considered under suspension of the rules. 3/28/2006 3:21 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 3/28/2006 3:21

p.m.: Motion to reconsider laid on the table Agreed to without objection. 3/29/2006: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

5. *H.R. 4416: To reauthorize permanently the use of penalty and franked mail in efforts relating to the location and recovery of missing children*

a. *Sponsor*.—Representative Millender-McDonald, Juanita [D-CA-37] (introduced 11/18/2005).

b. *Legislative History*.—11/18/2005: Referred to the Committee on Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 11/18/2005: Referred to House Government Reform 6/8/2006: Committee Consideration and Mark-up Session Held. 6/8/2006: Ordered to be Reported by Voice Vote. 11/18/2005: Referred to House Administration 6/26/2006 6:48 p.m.: Ms. Ros-Lehtinen moved to suspend the rules and pass the bill. 6/26/2006 6:48 p.m.: Considered under suspension of the rules. 6/26/2006 6:53 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 6/26/2006 6:53 p.m.: Motion to reconsider laid on the table Agreed to without objection. 6/27/2006: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

6. *H.R. 4586: To extend the life of the Benjamin Franklin Tercentenary Commission*

a. *Sponsor*.—Representative Castle, Michael N. [R-DE] (introduced 12/16/2005).

b. *Legislative History*.—12/16/2005: Referred to the House Committee on Government Reform. 3/30/2006: Committee Consideration and Mark-up Session Held. 3/30/2006: Ordered to be Reported by Unanimous Consent. 9/20/2006 6:23 p.m.: Ms. Foxx moved to suspend the rules and pass the bill, as amended. 9/20/2006 6:24 p.m.: Considered under suspension of the rules. 9/20/2006 6:30 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 9/20/2006 6:30 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/20/2006 6:30 p.m.: The title of the measure was amended. Agreed to without objection. 9/21/2006: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

7. *H.R. 4846: To authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library*

a. *Sponsor*.—Representative Goodlatte, Bob [R-VA-6] (introduced 3/2/2006).

b. *Legislative History*.—3/2/2006: Introductory remarks on measure. 3/2/2006: Referred to the House Committee on Government Reform. 7/20/2006: Committee Consideration and Mark-up Session Held. 7/20/2006: Ordered to be Reported by Unanimous Consent. 9/28/2006 Mr. Westmoreland moved to suspend the rules and pass the bill, as amended. 9/28/2006 Considered under suspension of the

rules. 9/28/2006 On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 9/28/2006 Motion to reconsider laid on the table Agreed to without objection. 9/28/2006 The title of the measure was amended. Agreed to without objection. 9/28/2006: Received in the Senate.

8. *H.R. 4975: To provide greater transparency with respect to lobbying activities, and for other purposes*

a. *Sponsor*.—Representative Dreier, David [R-CA-26] (introduced 3/16/2006).

b. *Legislative History*.—3/16/2006: Referred to the Committee on the Judiciary, and in addition to the Committees on House Administration, Rules, Government Reform, and Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 3/16/2006: Referred to House Judiciary 4/4/2006: Subcommittee on the Constitution Held Hearings Without Referral. 4/5/2006: Committee Consideration and Mark-up Session Held. 4/5/2006: Ordered to be Reported (Amended) by the Yeas and Nays: 18–16. 3/16/2006: Referred to House Administration 4/6/2006: Committee Consideration and Mark-up Session Held. 4/6/2006: Ordered to be Reported by the Yeas and Nays: 5–2. 3/16/2006: Referred to House Rules 3/30/2006: Committee Hearings Held. 4/5/2006: Committee Consideration and Mark-up Session Held. 4/5/2006: Ordered to be Reported by Voice Vote. 3/16/2006: Referred to House Government Reform 4/6/2006: Committee Consideration and Mark-up Session Held. 4/6/2006: Ordered to be Reported (Amended) by Voice Vote. 3/16/2006: Referred to House Standards of Official Conduct 4/25/2006 11:06 p.m.: Reported (Amended) by the Committee on Judiciary. H. Rept. 109–439, Part I. 4/25/2006 11:09 p.m.: Reported by the Committee on House Administration. H. Rept. 109–439, Part II. 4/25/2006 11:18 p.m.: Reported (Amended) by the Committee on Rules. H. Rept. 109–439, Part III. 4/25/2006 11:23 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–439, Part IV. 4/25/2006 11:24 p.m.: Committee on Standards of Official Conduct discharged. 4/25/2006 11:24 p.m.: Placed on the Union Calendar, Calendar No. 244. 5/3/2006 5:31 p.m.: On passage Passed by recorded vote: 217–213 (Roll No. 119).

9. *H.R. 5060: To amend the Federal Financial Assistance Management Improvement Act of 1999 to require data with respect to Federal financial assistance to be available for public access in a searchable and user friendly form*

a. *Sponsor*.—Representative Blunt, Roy [R-MO-7] (introduced 3/30/2006).

b. *Legislative History*.—3/30/2006: Referred to the House Committee on Government Reform. 6/21/2006 10:34 a.m.: Mr. Davis, Tom moved to suspend the rules and pass the bill, as amended. 6/21/2006 10:35 a.m.: Considered under suspension of the rules. 6/21/2006 10:57 a.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 6/21/2006 10:57 a.m.: Motion to reconsider laid on the table Agreed to without objection. 6/22/

2006: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

10. *H.R. 5835: To amend title 38, United States Code, to improve information management within the Department of Veterans Affairs, and for other purposes*

a. *Sponsor*.—Representative Buyer, Steve [R-IN-4] (introduced 7/19/2006).

b. *Legislative History*.—7/19/2006: Referred to the Committee on Veterans' Affairs, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 7/19/2006: Referred to House Veterans' Affairs 7/19/2006: Committee Hearings Held Prior to Introduction and Referral (July 18, 2006). 7/20/2006: Committee Consideration and Mark-up Session Held. 7/20/2006: Ordered to be Reported in the Nature of a Substitute by Voice Vote. 9/18/2006: Unfavorable Executive Comment Received from Veterans' Affairs. 7/19/2006: Referred to House Government Reform 9/13/2006 7:09 p.m.: Reported (Amended) by the Committee on Veterans' Affairs. H. Rept. 109-651, Part I. 9/13/2006 7:09 p.m.: Committee on Government Reform discharged. 9/13/2006 7:09 p.m.: Placed on the Union Calendar, Calendar No. 387. 9/26/2006 9:46 p.m.: Mr. Buyer moved to suspend the rules and pass the bill, as amended. 9/26/2006 9:46 p.m.: Considered under suspension of the rules. 9/26/2006 10:21 p.m.: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. 9/26/2006 10:21 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/27/2006: Received in the Senate.

11. *H.R. 6160: To recruit and retain Border Patrol agents*

a. *Sponsor*.—Representative Rogers, Mike D. [R-AL-3] (introduced 9/25/2006).

b. *Legislative History*.—9/25/2006: Referred to the Committee on Homeland Security, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 9/25/2006: Referred to House Homeland Security 9/26/2006: Referred to the Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity. 9/25/2006: Referred to House Government Reform 9/26/2006 7:01 p.m.: Mr. Rogers (AL) moved to suspend the rules and pass the bill. 9/26/2006 7:01 p.m.: Considered under suspension of the rules. 9/26/2006 7:19 p.m.: On motion to suspend the rules and pass the bill Agreed to by voice vote. 9/26/2006 7:19 p.m.: Motion to reconsider laid on the table Agreed to without objection. 9/27/2006: Received in the Senate.

C. LEGISLATION REPORTED BY COMMITTEE

1. *H.R. 185: To require the review of Government programs at least once every 5 years for purposes of evaluating their performance*

a. *Sponsor*.—Representative Platts, Todd Russell [R-PA-19] (introduced 1/4/2005).

b. Legislative History.—1/4/2005: Introductory remarks on measure. 1/4/2005: Referred to the House Committee on Government Reform. 3/10/2005: Committee Consideration and Mark-up Session Held. 3/10/2005: Ordered to be Reported by the Yeas and Nays: 19–14. 3/17/2005 6:00 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–26. 3/17/2005 6:01 p.m.: Placed on the Union Calendar, Calendar No. 12.

2. *H.R. 1167: To amend the Truth in Regulating Act to make permanent the pilot project for the report on rules*

a. Sponsor.—Representative Kelly, Sue W. [R–NY–19] (introduced 3/8/2005).

b. Legislative History.—3/8/2005: Referred to the House Committee on Government Reform. 6/8/2006: Committee Consideration and Mark-up Session Held. 6/8/2006: Ordered to be Reported (Amended) by Voice Vote. 6/15/2005: Introductory remarks on measure. 9/13/2006 9:03 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109–652. 9/13/2006 9:03 p.m.: Placed on the Union Calendar, Calendar No. 388.

3. *H.R. 1317: To amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections; and for other purposes*

a. Sponsor.—Representative Platts, Todd Russell [R–PA–19] (introduced 3/15/2005).

b. Legislative History.—3/15/2005: Referred to the House Committee on Government Reform. 9/29/2005: Committee Consideration and Mark-up Session Held. Ordered to be Reported (Amended) by the Yeas and Nays: 34–1. 6/29/2006 4:16 p.m.: Reported (Amended) by the committee on 109–544, Part I. 6/29/2006: Referred sequentially to the House Committee on Armed Services for a period ending not later than September 11, 2006 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(c), rule X. 10/10/2006: Referred to the Subcommittee on Readiness. 6/29/2006: Referred sequentially to the House Committee on Homeland Security for a period ending not later than September 11, 2006 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(i), rule X. 7/11/2006: Referred to the Subcommittee on Management, Integration, and Oversight. 9/11/2006 6:02 p.m.: House Committee on Armed Services Granted an extension for further consideration ending not later than September 29, 2006. 9/11/2006 6:03 p.m.: House Committee on Homeland Security Granted an extension for further consideration ending not later than September 29, 2006. 9/29/2006 8:18 p.m.: House Committee on Armed Services granted an extension for further consideration ending not later than November 17, 2006. 9/29/2006 8:18 p.m.: House Committee on Homeland Security Granted an extension for further consideration ending not later than November 17, 2006.

4. *H.R. 2656: To reauthorize the Office of National Drug Control Policy Act and to establish minimum drug testing standards for major professional sports leagues*

a. *Sponsor*.—Representative Davis, Tom [R–VA–11].

b. *Legislative History*.—5/24/2005: Referred to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 5/26/2005: Ordered to be Reported by Unanimous Consent. (No report filed.)

5. *H.R. 3128: To affirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary*

a. *Sponsor*.—Representative Waxman, Henry A. [D–CA–30] (introduced 6/30/2005).

b. *Legislative History*.—6/30/2005: Referred to the House Committee on Government Reform. 9/15/2005: Committee Consideration and Mark-up Session Held. 9/15/2005: Ordered to be Reported by Voice Vote. 11/18/2005 10:05 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–313. 11/18/2005 10:05 p.m.: Placed on the Union Calendar, Calendar No. 170.

6. *H.R. 4809: To amend the provisions of chapter 35 of title 44, United States Code, commonly referred to as the Paperwork Reduction Act, to ensure usability and clarity of information disseminated by Federal agencies, and to facilitate compliance with Federal paperwork requirements*

a. *Sponsor*.—Representative Miller, Candice S. [R–MI–10] (introduced 2/28/2006).

b. *Legislative History*.—2/28/2006: Referred to the House Committee on Government Reform. 6/8/2006: Committee Consideration and Mark-up Session Held. 6/8/2006: Ordered to be Reported by Voice Vote. 9/14/2006 6:15 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–660. 9/14/2006 6:16 p.m.: Placed on the Union Calendar, Calendar No. 393.

7. *H.R. 4855: To amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public and private school tuition assistance programs established under the Act*

a. *Sponsor*.—Representative Davis, Tom [R–VA–11] (introduced 3/2/2006).

b. *Legislative History*.—3/2/2006: Referred to the House Committee on Government Reform. 3/9/2006: Committee Consideration and Mark-up Session Held. 3/9/2006: Ordered to be Reported by Voice Vote. 7/11/2006 3:39 p.m.: Reported by the Committee on Government Reform. H. Rept. 109–553. 7/11/2006 3:39 p.m.: Placed on the Union Calendar, Calendar No. 310.

8. *H.R. 5112: To provide for reform in the operations of the executive branch*

a. *Sponsor*.—Representative Davis, Tom [R-VA-11] (introduced 4/6/2006).

b. *Legislative History*.—4/6/2006: Referred to the House Committee on Government Reform. 4/6/2006: Committee Consideration and Mark-up Session Held. 4/6/2006: Ordered to be Reported by the Yeas and Nays: 32-0. 4/27/2006 4:58 p.m.: Reported by the Committee on Government Reform. H. Rept. 109-445. 4/27/2006 4:59 p.m.: Placed on the Union Calendar, Calendar No. 249.

9. *H.R. 5711: To permit the Joint Committee on Judicial Administration in the District of Columbia to establish a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts*

a. *Sponsor*.—Representative Norton, Eleanor Holmes [D-DC] (introduced 6/29/2006).

b. *Legislative History*.—6/29/2006: Referred to the House Committee on Government Reform. 6/29/2006: Ordered to be Reported by Unanimous Consent. (No report filed.)

10. *H.R. 5766: To provide for the establishment of Federal Review Commissions to review and make recommendations on improving the operations, effectiveness, and efficiency of Federal programs and agencies, and to require a schedule for such reviews of all Federal agencies and programs*

a. *Sponsor*.—Representative Tiahrt, Todd [R-KS-4] (introduced 7/12/2006)

b. *Legislative History*.—7/12/2006: Referred to the Committee on Government Reform, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. 7/12/2006: Referred to House Government Reform 7/19/2006: Committee Hearings Held. 7/20/2006: Committee Consideration and Mark-up Session Held. 7/20/2006: Ordered to be Reported (Amended) by the Yeas and Nays: 15-12. 7/12/2006: Referred to House Rules 7/12/2006: Referred to House Budget 7/24/2006 7:41 p.m.: Reported (Amended) by the Committee on Government Reform. H. Rept. 109-594, Part I. 7/24/2006 7:42 p.m.: Committee on Rules discharged. 7/24/2006 7:43 p.m.: Committee on the Budget discharged. 7/24/2006 7:43 p.m.: Placed on the Union Calendar, Calendar No. 344.

D. POSTAL FACILITY DESIGNATIONS CONSIDERED BY THE COMMITTEE OR THE HOUSE

1. *H.R. 120: To designate the facility of the U.S. Postal Service located at 30777 Rancho California Road in Temecula, CA, as the "Dalip Singh Saund Post Office Building"*

a. *Sponsor*.—Representative Issa, Darrell E. [R-CA-49] (introduced 1/4/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109–22.

2. *H.R. 289: To designate the facility of the U.S. Postal Service located at 8200 South Vermont Avenue in Los Angeles, CA, as the “Sergeant First Class John Marshall Post Office Building”*

a. Sponsor.—Representative Waters, Maxine [D–CA–35] (introduced 1/6/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109–23.

3. *H.R. 324: To designate the facility of the U.S. Postal Service located at 321 Montgomery Road in Altamonte Springs, FL, as the “Arthur Stacey Mastrapa Post Office Building”*

a. Sponsor.—Representative Feeney, Tom [R–FL–24] (introduced 1/25/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109–24.

4. *H.R. 438: To designate the facility of the U.S. Postal Service located at 2000 Allston Way in Berkeley, CA, as the “Maudelle Shirek Post Office Building”*

a. Sponsor.—Representative Lee, Barbara [D–CA–9] (introduced 2/1/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 9/27/2005 Failed of passage/not agreed to in House. Status: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 190–215 (Roll No. 495).

5. *H.R. 504: To designate the facility of the U.S. Postal Service located at 4960 West Washington Boulevard in Los Angeles, CA, as the “Ray Charles Post Office Building”*

a. Sponsor.—Representative Watson, Diane E. [D–CA–33] (introduced 2/1/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109–25.

6. *H.R. 627: To designate the facility of the U.S. Postal Service located at 40 Putnam Avenue in Hamden, CT, as the “Linda White-Epps Post Office”*

a. Sponsor.—Representative DeLauro, Rosa L. [D–CT–3] (introduced 2/8/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109–26.

7. *H.R. 1001: To designate the facility of the U.S. Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, TX, as the "Sergeant Byron W. Norwood Post Office Building"*
 - a. *Sponsor*.—Representative McCaul, Michael T. [R-TX-10] (introduced 3/1/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/21/2005 Became Public Law No. 109-36.
8. *H.R. 1072: To designate the facility of the U.S. Postal Service located at 151 West End Street in Goliad, TX, as the "Judge Emilio Vargas Post Office Building"*
 - a. *Sponsor*.—Representative Hinojosa, Ruben [D-TX-15] (introduced 3/3/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-27.
9. *H.R. 1082: To designate the facility of the U.S. Postal Service located at 120 East Illinois Avenue in Vinita, OK, as the "Francis C. Goodpaster Post Office Building"*
 - a. *Sponsor*.—Representative Boren, Dan [D-OK-2] (introduced 3/3/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-28.
10. *H.R. 1236: To designate the facility of the U.S. Postal Service located at 750 4th Street in Sparks, NV, as the "Mayor Tony Armstrong Memorial Post Office"*
 - a. *Sponsor*.—Representative Gibbons, Jim [R-NV-2] (introduced 3/10/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-29.
11. *H.R. 1287: Designating the facility of the U.S. Postal Service located at 312 East North Avenue in Flora, IL, as the "Robert T. Ferguson Post Office Building"*
 - a. *Sponsor*.—Representative Shimkus, John [R-IL-19] (introduced 3/14/2005).
 - b. *Legislative History*.—House Government Reform. Latest Major Action: 3/20/2006 Became Public Law No. 109-184.
12. *H.R. 1460: To designate the facility of the U.S. Postal Service located at 6200 Rolling Road in Springfield, VA, as the "Captain Mark Stubenhofer Post Office Building"*
 - a. *Sponsor*.—Representative Davis, Tom [R-VA-11] (introduced 4/5/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-30.

13. *H.R. 1472: To designate the facility of the U.S. Postal Service located at 167 East 124th Street in New York, NY, as the “Tito Puente Post Office Building”*

a. *Sponsor.*—Representative Rangel, Charles B. [D-NY-15] (introduced 4/5/2005).

b. *Legislative History.*—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

14. *H.R. 1524: To designate the facility of the U.S. Postal Service located at 12433 Antioch Road in Overland Park, KS, as the “Ed Eilert Post Office Building”*

a. *Sponsor.*—Representative Moore, Dennis [D-KS-3] (introduced 4/6/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-31.

15. *H.R. 1542: To designate the facility of the U.S. Postal Service located at 695 Pleasant Street in New Bedford, MA, as the “Honorable Judge George N. Leighton Post Office Building”*

a. *Sponsor.*—Representative Frank, Barney [D-MA-4] (introduced 4/12/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-32.

16. *H.R. 1760: To designate the facility of the U.S. Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, WI, as the “Robert M. La Follette, Sr. Post Office Building”*

a. *Sponsor.*—Representative Baldwin, Tammy [D-WI-2] (introduced 4/21/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 6/17/2005 Became Public Law No. 109-15.

17. *H.R. 2062: To designate the facility of the U.S. Postal Service located at 57 West Street in Newville, PA, as the “Randall D. Shughart Post Office Building”*

a. *Sponsor.*—Representative Shuster, Bill [R-PA-9] (introduced 5/3/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 12/1/2005 Became Public Law No. 109-122.

18. *H.R. 2113: To designate the facility of the U.S. Postal Service located at 2000 McDonough Street in Joliet, IL, as the “John F. Whiteside Joliet Post Office Building”*

a. *Sponsor.*—Representative Weller, Jerry [R-IL-11] (introduced 5/5/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-185.

19. *H.R. 2183: To designate the facility of the U.S. Postal Service located at 567 Tompkins Avenue in Staten Island, NY, as the "Vincent Palladino Post Office"*

a. *Sponsor*.—Representative Fossella, Vito [R-NY-13] (introduced 5/5/2005).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 12/1/2005 Became Public Law No. 109-123.

20. *H.R. 2326: To designate the facility of the U.S. Postal Service located at 614 West Old County Road in Belhaven, NC, as the "Floyd Lupton Post Office"*

a. *Sponsor*.—Representative Walter B., Jr. [R-NC-3] (introduced 5/12/2005).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/12/2005 Became Public Law No. 109-33.

21. *H.R. 2346: To designate the facility of the U.S. Postal Service located at 105 NW Railroad Avenue in Hammond, LA, as the "John J. Hainkel, Jr. Post Office Building"*

a. *Sponsor*.—Representative Jindal, Bobby [R-LA-1] (introduced 5/12/05).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-186.

22. *H.R. 2413: To designate the facility of the U.S. Postal Service located at 1202 1st Street in Humble, TX, as the "Lillian McKay Post Office Building"*

a. *Sponsor*.—Representative Poe, Ted [R-TX-2] (introduced 5/17/2005) Cosponsors: 31.

b. *Legislative History*.—Committees: House Government Reform; Senate Homeland Security and Governmental Affairs Latest Major Action: 3/20/2006 Became Public Law No. 109-187.

23. *H.R. 2490: To designate the facility of the U.S. Postal Service located at 442 West Hamilton Street, Allentown, PA, as the "Mayor Joseph S. Daddona Memorial Post Office"*

a. *Sponsor*.—Representative Dent, Charles W. [R-PA-15] (introduced 5/19/2005) Cosponsors: 18.

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 11/22/2005 Became Public Law No. 109-107.

24. *H.R. 2630: To redesignate the facility of the U.S. Postal Service located at 1927 Sangamon Avenue in Springfield, IL, as the "J.M. Dietrich Northeast Annex"*

a. *Sponsor*.—Representative LaHood, Ray [R-IL-18] (introduced 5/25/2005).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-188.

25. *H.R. 2894: To designate the facility of the U.S. Postal Service located at 102 South Walters Avenue in Hodgenville, KY, as the "Abraham Lincoln Birthplace Post Office Building"*
 - a. *Sponsor*.—Representative Lewis, Ron [R-KY-2] (introduced 6/14/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-189.
26. *H.R. 2977: To designate the facility of the U.S. Postal Service located at 306 2nd Avenue in Brockway, MT, as the "Paul Kasten Post Office Building"*
 - a. *Sponsor*.—Representative Rehberg, Dennis R. [R-MT] (introduced 6/17/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109-252.
27. *H.R. 3256: To designate the facility of the U.S. Postal Service located at 3038 West Liberty Avenue in Pittsburgh, PA, as the "Congressman James Grove Fulton Memorial Post Office Building"*
 - a. *Sponsor*.—Representative Murphy, Tim [R-PA-18] (introduced 7/12/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-190.
28. *H.R. 3339: To designate the facility of the U.S. Postal Service located at 2061 South Park Avenue in Buffalo, NY, as the "James T. Molloy Post Office Building"*
 - a. *Sponsor*.—Representative Higgins, Brian [D-NY-27] (introduced 7/19/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 11/22/2005 Became Public Law No. 109-109.
29. *H.R. 3368: To designate the facility of the U.S. Postal Service located at 6483 Lincoln Street in Gagetown, MI, as the "Gagetown Veterans Memorial Post Office"*
 - a. *Sponsor*.—Representative Kildee, Dale E. [D-MI-5] (introduced 7/20/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-191.
30. *H.R. 3439: To designate the facility of the U.S. Postal Service located at 201 North 3rd Street in Smithfield, NC, as the "Ava Gardner Post Office"*
 - a. *Sponsor*.—Representative Etheridge, Bob [D-NC-2] (introduced 7/26/2005).
 - b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-192.

31. *H.R. 3440: To designate the facility of the U.S. Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the “Dr. Jose Celso Barbosa Post Office Building”*
 - a. *Sponsor.*—Representative Fortuno, Luis G. [R–PR] (introduced 7/26/2005).
 - b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109–253.
32. *H.R. 3548: To designate the facility of the U.S. Postal Service located on Franklin Avenue in Pearl River, NY, as the “Heinz Ahlmeyer, Jr. Post Office Building”*
 - a. *Sponsor.*—Representative Engel, Eliot L. [D–NY–17] (introduced 7/28/2005).
 - b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109–193.
33. *H.R. 3549: To designate the facility of the U.S. Postal Service located at 210 West 3rd Avenue in Warren, PA, as the “William F. Clinger, Jr. Post Office Building”*
 - a. *Sponsor.*—Representative English, Phil [R–PA–3] (introduced 7/28/2005).
 - b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109–254.
34. *H.R. 3667: To designate the facility of the U.S. Postal Service located at 200 South Barrington Street in Los Angeles, CA, as the “Karl Malden Station”*
 - a. *Sponsor.*—Representative Waxman, Henry A. [D–CA–30] (introduced 9/7/2005).
 - b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/4/2005 Became Public Law No. 109–84.
35. *H.R. 3703: To designate the facility of the U.S. Postal Service located at 8501 Philatelic Drive in Spring Hill, FL, as the “Staff Sergeant Michael Schafer Post Office Building”*
 - a. *Sponsor.*—Representative Brown-Waite, Ginny [R–FL–5] (introduced 9/8/2005).
 - b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109–194.
36. *H.R. 3767: To designate the facility of the U.S. Postal Service located at 2600 Oak Street in St. Charles, IL, as the “Jacob L. Frazier Post Office Building”*
 - a. *Sponsor.*—Representative Hastert, J. Dennis [R–IL–14] (introduced 9/14/2005).
 - b. *Legislative History.*—House Government Reform. Latest Major Action: 10/4/2005 Became Public Law No. 109–85.

37. *H.R. 3770: To designate the facility of the U.S. Postal Service located at 205 West Washington Street in Knox, IN, as the “Grant W. Green Post Office Building”*

a. Sponsor.—Representative Chocola, Chris [R-IN-2] (introduced 9/14/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-195.

38. *H.R. 3825: To designate the facility of the U.S. Postal Service located at 770 Trumbull Drive in Pittsburgh, PA, as the “Clayton J. Smith Memorial Post Office Building”*

a. Sponsor.—Representative Murphy, Tim [R-PA-18] (introduced 9/19/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-196.

39. *H.R. 3830: To designate the facility of the U.S. Postal Service located at 130 East Marion Avenue in Punta Gorda, FL, as the “U.S. Cleveland Post Office Building”*

a. Sponsor.—Representative Foley, Mark [R-FL-16] (introduced 9/20/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-197.

40. *H.R. 3853: To designate the facility of the U.S. Postal Service located at 208 South Main Street in Parkdale, AR, as the “Willie Vaughn Post Office”*

a. Sponsor.—Representative Ross, Mike [D-AR-4] (introduced 9/21/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 12/1/2005 Became Public Law No. 109-124.

41. *H.R. 3934: To designate the facility of the U.S. Postal Service located at 80 Killian Road in Massapequa, NY, as the “Gerard A. Fiorenza Post Office Building”*

a. Sponsor.—Representative King, Peter T. [R-NY-3] (introduced 9/28/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109-255.

42. *H.R. 3989: To designate the facility of the U.S. Postal Service located at 37598 Goodhue Avenue in Dennison, MN, as the “Albert H. Quie Post Office”*

a. Sponsor.—Representative Kline, John [R-MN-2] (introduced 10/6/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-198.

43. *H.R. 4053: To designate the facility of the U.S. Postal Service located at 545 North Rimsdale Avenue in Covina, CA, as the “Lillian Kinkella Keil Post Office”*

a. *Sponsor.*—Sponsor: Representative Solis, Hilda L. [D-CA-32] (introduced 10/7/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-199.

44. *H.R. 4054: To designate the facility of the U.S. Postal Service located at 6110 East 51st Place in Tulsa, OK, as the “Dewey F. Bartlett Post Office”*

a. *Sponsor.*—Representative Sullivan, John [R-OK-1] (introduced 10/7/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/8/2006 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

45. *H.R. 4101: To designate the facility of the U.S. Postal Service located at 170 East Main Street in Patchogue, NY, as the “Lieutenant Michael P. Murphy Post Office Building”*

a. *Sponsor.*—Representative Bishop, Timothy H. [D-NY-1] (introduced 10/20/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109-256.

46. *H.R. 4107: To designate the facility of the U.S. Postal Service located at 1826 Pennsylvania Avenue in Baltimore, MD, as the “Maryland State Delegate Lena K. Lee Post Office Building”*

a. *Sponsor.*—Representative Cummings, Elijah E. [D-MD-7] (introduced 10/20/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109-200.

47. *H.R. 4108: To designate the facility of the U.S. Postal Service located at 3000 Homewood Avenue in Baltimore, MD, as the “State Senator Verda Welcome and Dr. Henry Welcome Post Office Building”*

a. *Sponsor.*—Representative Cummings, Elijah E. [D-MD-7] (introduced 10/20/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/1/2006 Became Public Law No. 109-257.

48. *H.R. 4109: To designate the facility of the U.S. Postal Service located at 6101 Liberty Road in Baltimore, MD, as the “United States Representative Parren J. Mitchell Post Office”*

a. *Sponsor.*—Representative Cummings, Elijah E. [D-MD-7] (introduced 10/20/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/12/2006 Became Public Law No. 109–327.

49. *H.R. 4152: To designate the facility of the U.S. Postal Service located at 320 High Street in Clinton, MA, as the “Raymond J. Salmon Post Office”*

a. Sponsor.—Representative McGovern, James P. [D–MA–3] (introduced 10/26/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 3/20/2006 Became Public Law No. 109–201.

50. *H.R. 4246: To designate the facility of the U.S. Postal Service located at 8135 Forest Lane in Dallas, TX, as the “Dr. Robert E. Price Post Office Building”*

a. Sponsor.—Representative Sessions, Pete [R–TX–32] (introduced 11/7/2005) Cosponsors: 29.

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 7/27/2006 Senate committee/subcommittee actions. Status: Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably.

51. *H.R. 4295: To designate the facility of the U.S. Postal Service located at 12760 South Park Avenue in Riverton, UT, as the “Mont and Mark Stephensen Veterans Memorial Post Office Building”*

a. Sponsor.—Representative Cannon, Chris [R–UT–3] (introduced 11/10/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 3/20/2006 Became Public Law No. 109–202.

52. *H.R. 4456: To designate the facility of the U.S. Postal Service located at 2404 Race Street in Jonesboro, AR, as the “Hattie W. Caraway Station”*

a. Sponsor.—Representative Berry, Marion [D–AR–1] (introduced 12/7/2005).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109–258.

53. *H.R. 4515: To designate the facility of the U.S. Postal Service located at 4422 West Sciota Street in Scio, NY, as the “Corporal Jason L. Dunham Post Office”*

a. Sponsor.—Representative Kuhl, John R. “Randy”, Jr. [R–NY–29] (introduced 12/13/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 3/14/2006 Became Public Law No. 109–180.

54. *H.R. 4561: To designate the facility of the U.S. Postal Service located at 8624 Ferguson Road in Dallas, TX, as the “Francisco ‘Pancho’ Medrano Post Office Building”*

a. *Sponsor.*—Representative Johnson, Eddie Bernice [D–TX–30] (introduced 12/15/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109–259.

55. *H.R. 4646: To designate the facility of the U.S. Postal Service located at 7320 Reseda Boulevard in Reseda, CA, as the “Coach John Wooden Post Office Building”*

a. *Sponsor.*—Representative Sherman, Brad [D–CA–27] (introduced 12/18/2005).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109–273.

56. *H.R. 4674: To designate the facility of the U.S. Postal Service located at 110 North Chestnut Street in Olathe, KS, as the “Governor John Anderson, Jr. Post Office Building”*

a. *Sponsor.*—Representative Moore, Dennis [D–KS–3] (introduced 1/31/2006).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/12/2006 Became Public Law No. 109–328.

57. *H.R. 4688: To designate the facility of the U.S. Postal Service located at 1 Boyden Street in Badin, NC, as the “Mayor John Thompson ‘Tom’ Garrison Memorial Post Office”*

a. *Sponsor.*—Representative Hayes, Robin [R–NC–8] (introduced 2/1/2006).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109–260.

58. *H.R. 4720: To designate the facility of the U.S. Postal Service located at 200 Gateway Drive in Lincoln, CA, as the “Beverly J. Wilson Post Office Building”*

a. *Sponsor.*—Representative Doolittle, John T. [R–CA–4] (introduced 2/8/2006).

b. *Legislative History.*—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

59. *H.R. 4768: To designate the facility of the U.S. Postal Service located at 777 Corporation Street in Beaver, PA, as the “Robert Linn Memorial Post Office Building”*

a. *Sponsor.*—Representative Hart, Melissa A. [R–PA–4] (introduced 2/16/2006).

b. *Legislative History.*—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/13/2006 Became Public Law No. 109–345.

60. *H.R. 4786: To designate the facility of the U.S. Postal Service located at 535 Wood Street in Bethlehem, PA, as the “H. Gordon Payrow Post Office Building”*

a. Sponsor.—Representative Dent, Charles W. [R-PA-15] (introduced 2/16/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109-261.

61. *H.R. 4805: To designate the facility of the U.S. Postal Service located at 105 North Quincy Street in Clinton, IL, as the “Gene Vance Post Office Building”*

a. Sponsor.—Representative Johnson, Timothy V. [R-IL-15] (introduced 2/28/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/13/2006 Became Public Law No. 109-346.

62. *H.R. 4811: To designate the facility of the U.S. Postal Service located at 215 West Industrial Park Road in Harrison, AR, as the “John Paul Hammerschmidt Post Office Building”*

a. Sponsor.—Representative Boozman, John [R-AR-3] (introduced 2/28/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109-274.

63. *H.R. 4962: To designate the facility of the U.S. Postal Service located at 100 Pitcher Street in Utica, NY, as the “Captain George A. Wood Post Office Building”*

a. Sponsor.—Representative Boehlert, Sherwood [R-NY-24] (introduced 3/15/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109-275.

64. *H.R. 4995: To designate the facility of the U.S. Postal Service located at 7 Columbus Avenue in Tuckahoe, NY, as the “Ronald Bucca Post Office”*

a. Sponsor.—Representative Lowey, Nita M. [D-NY-18] (introduced 3/16/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109-262.

65. *H.R. 5104: To designate the facility of the U.S. Postal Service located at 1750 16th Street South in St. Petersburg, FL, as the “Morris W. Milton Post Office”*

a. Sponsor.—Representative Davis, Jim [D-FL-11] (introduced 4/5/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109-276.

66. *H.R. 5107: To designate the facility of the U.S. Postal Service located at 1400 West Jordan Street in Pensacola, FL, as the “Earl D. Hutto Post Office Building”*

a. *Sponsor*.—Representative Miller, Jeff [R–FL–1] (introduced 4/5/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109–277.

67. *H.R. 5108: To designate the facility of the U.S. Postal Service located at 1213 East Houston Street in Cleveland, TX, as the “Lance Corporal Robert A. Martinez Post Office Building”*

a. *Sponsor*.—Representative Poe, Ted [R–TX–2] (introduced 4/5/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/28/2006 Received in the Senate.

68. *H.R. 5169: To designate the facility of the U.S. Postal Service located at 1310 Highway 64 NW. in Ramsey, IN, as the “Wilfred Edward ‘Cousin Willie’ Sieg, Sr. Post Office Building”*

a. *Sponsor*.—Representative Sodrel, Michael E. [R–IN–9] (introduced 4/25/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109–278.

69. *H.R. 5224: To designate the facility of the U.S. Postal Service located at 350 Uinta Drive in Green River, WY, as the “Curt Gowdy Post Office Building”*

a. *Sponsor*.—Representative Cubin, Barbara [R–WY] (introduced 4/27/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 10/12/2006 Became Public Law No. 109–329.

70. *H.R. 5245: To designate the facility of the U.S. Postal Service located at 1 Marble Street in Fair Haven, VT, as the “Matthew Lyon Post Office Building”*

a. *Sponsor*.—Representative Sanders, Bernard [I–VT] (introduced 4/27/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/2/2006 Became Public Law No. 109–263.

71. *H.R. 5428: To designate the facility of the U.S. Postal Service located at 202 East Washington Street in Morris, IL, as the “Joshua A. Terando Morris Post Office Building”*

a. *Sponsor*.—Representative Weller, Jerry [R–IL–11] (introduced 5/19/2006).

b. *Legislative History*.—Committees: House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/13/2006 Became Public Law No. 109–349.

72. *H.R. 5434: To designate the facility of the U.S. Postal Service located at 40 South Walnut Street in Chillicothe, OH, as the “Larry Cox Post Office”*

a. *Sponsor*.—Representative Ney, Robert W. [R-OH-18] (introduced 5/19/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/13/2006 Became Public Law No. 109-350.

73. *H.R. 5504: To designate the facility of the U.S. Postal Service located at 6029 Broadmoor Street in Mission, KS, as the “Larry Winn, Jr. Post Office Building”*

a. *Sponsor*.—Representative Moore, Dennis [D-KS-3] (introduced 5/25/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/12/2006 Became Public Law No. 109-330.

74. *H.R. 5540: To designate the facility of the U.S. Postal Service located at 217 Southeast 2nd Street in Dimmitt, TX, as the “Sergeant Jacob Dan Dones Post Office”*

a. *Sponsor*.—Representative Neugebauer, Randy [R-TX-19] (introduced 6/7/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 8/17/2006 Became Public Law No. 109-279.

75. *H.R. 5664: To designate the facility of the U.S. Postal Service located at 110 Cooper Street in Babylon, NY, as the “Jacob Samuel Fletcher Post Office Building”*

a. *Sponsor*.—Representative King, Peter T. [R-NY-3] (introduced 6/21/2006).

b. *Legislative History*.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/10/2006 Became Public Law No. 109-315.

76. *H.R. 5736: To designate the facility of the U.S. Postal Service located at 101 Palafox Place in Pensacola, FL, as the “Vincent J. Whibbs, Sr. Post Office Building”*

a. *Sponsor*.—Representative Miller, Jeff [R-FL-1] (introduced 6/29/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

77. *H.R. 5857: To designate the facility of the U.S. Postal Service located at 1501 South Cherrybell Avenue in Tucson, AZ, as the “Morris K. ‘Mo’ Udall Post Office Building”*

a. *Sponsor*.—Representative Grijalva, Raul M. [D-AZ-7] (introduced 7/20/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/26/2006 Received in the Senate.

78. *H.R. 5923: To designate the facility of the U.S. Postal Service located at 29–50 Union Street in Flushing, NY, as the “Dr. Leonard Price Stavisky Post Office”*

a. Sponsor.—Representative Ackerman, Gary L. [D–NY–5] (introduced 7/27/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/26/2006 Received in the Senate.

79. *H.R. 5929: To designate the facility of the U.S. Postal Service located at 950 Missouri Avenue in East St. Louis, IL, as the “Katherine Dunham Post Office Building”*

a. Sponsor.—Representative Costello, Jerry F. [D–IL–12] (introduced 7/27/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 10/12/2006 Became Public Law No. 109–333.

80. *H.R. 5989: To designate the facility of the U.S. Postal Service located at 10240 Roosevelt Road in Westchester, IL, as the “John J. Sinde Post Office Building”*

a. Sponsor.—Representative Davis, Danny K. [D–IL–7] (introduced 7/28/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

81. *H.R. 5990: To designate the facility of the U.S. Postal Service located at 415 South 5th Avenue in Maywood, IL, as the “Wallace W. Sykes Post Office Building”*

a. Sponsor.—Representative Davis, Danny K. [D–IL–7] (introduced 7/28/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

82. *H.R. 6033: To designate the facility of the U.S. Postal Service located at 39–25 61st Street in Woodside, NY, as the “Thomas J. Manton Post Office Building”*

a. Sponsor.—Representative Crowley, Joseph [D–NY–7] (introduced 9/6/2006).

b. Legislative History.—House Government Reform; Senate Homeland Security and Governmental Affairs. Latest Major Action: 10/12/2006 Became Public Law No. 109–334.

83. *H.R. 6075: To designate the facility of the U.S. Postal Service located at 101 East Gay Street in West Chester, PA, as the “Robert J. Thompson Post Office Building”*

a. Sponsor.—Representative Pitts, Joseph R. [R–PA–16] (introduced 9/14/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 10/12/2006 Became Public Law No. 109–336.

84. *H.R. 6078: To designate the facility of the U.S. Postal Service located at 307 West Wheat Street in Woodville, TX, as the “Chuck Fortenberry Post Office Building”*

a. Sponsor.—Representative Brady, Kevin [R–TX–8] (introduced 9/14/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

85. *H.R. 6102: To designate the facility of the U.S. Postal Service located at 200 Lawyers Road, NW in Vienna, VA, as the “Captain Christopher Petty Post Office Building”*

a. Sponsor.—Representative Davis, Tom [R-VA-11] (introduced 9/19/2006).

b. Legislative History.—Committees: House Government Reform. Latest Major Action: 9/26/2006 Received in the Senate.

86. *H.R. 6151: To designate the facility of the U.S. Postal Service located at 216 Oak Street in Farmington, MN, as the “Hamilton H. Judson Post Office Building”*

a. Sponsor.—Representative Kline, John [R-MN-2] (introduced 9/21/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/29/2006 Received in the Senate.

87. *S. 571: A bill to designate the facility of the U.S. Postal Service located at 1915 Fulton Street in Brooklyn, NY, as the “Congresswoman Shirley A. Chisholm Post Office Building”*

a. Sponsor.—Senator Schumer, Charles E. [D-NY] (introduced 3/9/2005).

b. Legislative History.—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 8/2/2005 Became Public Law No. 109-50.

88. *S. 775: A bill to designate the facility of the U.S. Postal Service located at 123 W. 7th Street in Holdenville, OK, as the “Boone Pickens Post Office Building”*

a. Sponsor.—Senator Inhofe, James M. [R-OK] (introduced 4/13/2005).

b. Legislative History.—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 8/2/2005 Became Public Law No. 109-51.

89. *S. 904: A bill to designate the facility of the U.S. Postal Service located at 1560 Union Valley Road in West Milford, NJ, as the “Brian P. Parrello Post Office Building”*

a. Sponsor.—Senator Lautenberg, Frank R. [D-NJ] (introduced 4/26/2005).

b. Legislative History.—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 8/2/2005 Became Public Law No. 109-52.

90. *S. 1275: A bill to designate the facility of the U.S. Postal Service located at 7172 North Tongass Highway, Ward Cove, AK, as the “Alice R. Brusich Post Office Building”*

a. Sponsor.—Senator Stevens, Ted [R-AK] (introduced 6/21/2005).

b. Legislative History.—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 10/5/2006 Became Public Law No. 109-300.

91. *S. 1323: A bill to designate the facility of the U.S. Postal Service located on Lindbald Avenue, Girdwood, AK, as the "Dorothy and Connie Hibbs Post Office Building"*

a. *Sponsor.*—Senator Stevens, Ted [R-AK] (introduced 6/28/2005).

b. *Legislative History.*—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 10/5/2006 Became Public Law No. 109–301.

92. *S. 1445: A bill to designate the facility of the U.S. Postal Service located at 520 Colorado Avenue in Arriba, CO, as the "William H. Emery Post Office Building"*

a. *Sponsor.*—Senator Salazar, Ken [D-CO] (introduced 7/21/2005).

b. *Legislative History.*—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 6/23/2006 Became Public Law No. 109–237.

93. *S. 1989: A bill to designate the facility of the U.S. Postal Service located at 57 Rolfe Square in Cranston, RI, shall be known and designated as the "Holly A. Charette Post Office Building"*

a. *Sponsor.*—Senator Reed, Jack [D-RI] (introduced 11/10/2005).

b. *Legislative History.*—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 2/27/2006 Became Public Law No. 109–175.

94. *S. 2690: A bill to designate the facility of the U.S. Postal Service located at 8801 Sudley Road in Manassas, VA, as the "Harry J. Parrish Post Office Building"*

a. *Sponsor.*—Senator Allen, George [R-VA] (introduced 5/2/2006).

b. *Legislative History.*—Senate Homeland Security and Governmental Affairs; House Government Reform Latest Major Action: 10/5/2006 Became Public Law No. 109–302.

95. *S. 3613: A bill to designate the facility of the U.S. Postal Service located at 2951 New York Highway 43 in Averill Park, NY, as the "Major George Quamo Post Office Building"*

a. *Sponsor.*—Senator Clinton, Hillary Rodham [D-NY] (introduced 6/29/2006).

b. *Legislative History.*—Senate Homeland Security and Governmental Affairs; House Government Reform. Latest Major Action: 10/6/2006 Became Public Law No. 109–311.

E. RESOLUTIONS CONSIDERED BY THE COMMITTEE OR THE HOUSE

1. *H. Con. Res. 25: Recognizing the contributions of Jibreel Khazan (Ezell Blair, Jr.), David Richmond, Joseph McNeil, and Franklin McCain, the "Greensboro Four", to the civil rights movement*

a. *Sponsor.*—Representative Miller, Brad [D-NC–13] (introduced 1/25/2005).

b. *Legislative History.*—Committees: House Government Reform; Senate Judiciary. Latest Major Action: 2/16/2005 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on the Judiciary.

2. *H. Con. Res. 41: Recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization*

a. *Sponsor*.—Representative Schiff, Adam B. [D-CA-29] (introduced 2/1/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 4/29/2005 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent.

3. *H. Con. Res. 59: Recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation*

a. *Sponsor*.—Sponsor: Representative Kilpatrick, Carolyn C. [D-MI-13] (introduced 2/14/2005).

b. *Legislative History*.—House Government Reform; Senate Commerce, Science, and Transportation. Latest Major Action: 12/22/2005 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent.

4. *H. Con. Res. 71: Expressing the sense of Congress that there should be established a Caribbean-American Heritage Month*

a. *Sponsor*.—Representative Lee, Barbara [D-CA-9] (introduced 2/17/2005).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 2/14/2006 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent.

5. *H. Con. Res. 181: Supporting the goals and ideals of National Life Insurance Awareness Month, and for other purposes*

a. *Sponsor*.—Representative Biggert, Judy [R-IL-13] (introduced 6/17/2005) Cosponsors: 66.

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 7/26/2005 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on the Judiciary.

6. *H. Con. Res. 209: Supporting the goals and ideals of Domestic Violence Awareness Month and expressing the sense of Congress that Congress should raise awareness of domestic violence in the United States and its devastating effects on families*

a. *Sponsor*.—Representative Green, Al [D-TX-9] (introduced 7/14/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/28/2005 Received in the Senate.

7. *H. Con. Res. 218: Recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century*

a. *Sponsor*.—Representative Case, Ed [D–HI–2] (introduced 7/26/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 12/15/2005 Passed/agreed to in Senate. Status: Resolution agreed to in Senate with an amendment by Unanimous Consent.

8. *H. Con. Res. 222: Supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day*

a. *Sponsor*.—Representative Latham, Tom [R–IA–4] (introduced 7/27/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/28/2006 Received in the Senate.

9. *H. Con. Res. 240: Supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day*

a. *Sponsor*.—Representative Cleaver, Emanuel [D–MO–5] (introduced 9/13/2005).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 9/15/2005 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on the Judiciary.

10. *H. Con. Res. 269: Recognizing the 40th anniversary of the White House Fellows Program*

a. *Sponsor*.—Representative Barton, Joe [R–TX–6] (introduced 10/20/2005).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 11/15/2005 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent.

11. *H. Con. Res. 273: Recognizing the 50th anniversary of the Montgomery bus boycott*

a. *Sponsor*.—Representative Rogers, Mike D. (AL) [R–AL–3] (introduced 10/25/2005).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 12/12/2005 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on the Judiciary.

12. *H. Con. Res. 281: Congratulating the Chicago White Sox on winning the 2005 World Series*

a. *Sponsor*.—Representative Davis, Danny K. [D–IL–7] (introduced 10/27/2005).

b. *Legislative History*.—House Government Reform; Senate Commerce, Science, and Transportation. Latest Major Action: 1/27/2006 Referred to Senate committee. Status: Referred to the Committee on Commerce, Science, and Transportation.

13. *H. Con. Res. 289: Supporting the goal and mission of America Recycles Day*

a. *Sponsor*.—Representative Inslee, Jay [D-WA-1] (introduced 11/2/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 11/16/2005 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

14. *H. Con. Res. 315: Urging the President to issue a proclamation for the observance of an American Jewish History Month*

a. *Sponsor*.—Representative Wasserman Schultz, Debbie [D-FL-20] (introduced 12/14/2005).

b. *Legislative History*.—Committees: House Government Reform; Senate Judiciary. Latest Major Action: 2/14/2006 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment by Unanimous Consent.

15. *H. Con. Res. 383: Supporting the goals and ideals of the National Arbor Day Foundation and National Arbor Day*

a. *Sponsor*.—Representative Fortenberry, Jeff [R-NE-1] (introduced 4/6/2006).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 5/1/2006 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on the Judiciary.

16. *H. Con. Res. 399: Recognizing the 30th Anniversary of the victory of U.S. winemakers at the 1976 Paris Wine Tasting*

a. *Sponsor*.—Representative Thompson, Mike [D-CA-1] (introduced 5/3/2006).

b. *Legislative History*.—House Government Reform; Senate Agriculture, Nutrition, and Forestry. Latest Major Action: 8/2/2006 Passed/agreed to in Senate. Status: Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent.

17. *H. Con. Res. 422: Supporting the goals and ideals of the Vigil for Lost Promise day*

a. *Sponsor*.—Representative Davis, Tom [R-VA-11] (introduced 6/6/2006).

b. *Legislative History*.—House Government Reform; Senate Health, Education, Labor, and Pensions. Latest Major Action: 6/7/2006 Referred to Senate committee. Status: Received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions.

18. *H. Con. Res. 449: Commemorating the 60th anniversary of the historic 1946 season of Major League Baseball Hall of Fame member Bob Feller and his return from military service to the United States*

a. *Sponsor*.—Representative LaTourette, Steve C. [R-OH-14] (introduced 7/19/2006).

b. *Legislative History*.—House Government Reform; Senate Judiciary. Latest Major Action: 9/11/2006 Passed/agreed to in Senate.

Status: Resolution agreed to in Senate without amendment by Unanimous Consent.

19. *H. Con. Res. 471: Congratulating the Professional Golfers' Association of America on its 90th anniversary and commending the members of the Professional Golfers' Association of America and the PGA Foundation for the charitable contributions they provide to the United States*

a. *Sponsor*.—Representative Foley, Mark [R-FL-16] (introduced 9/13/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/26/2006 Received in the Senate.

20. *H. Con. Res. 473: Supporting the goals and ideals of Gynecologic Cancer Awareness Month*

a. *Sponsor*.—Representative Issa, Darrell E. [R-CA-49] (introduced 9/14/2006).

b. *Legislative History*.—House Government Reform. Latest Major Action: 9/28/2006 Received in the Senate.

21. *H. Res. 15: Supporting the goals and ideals of National Campus Safety Awareness Month*

a. *Sponsor*.—Representative Duncan, John J., Jr. [R-TN-2] (introduced 1/4/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 10/6/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

22. *H. Res. 40: Honoring the career and philanthropic contributions of Johnny Carson*

a. *Sponsor*.—Representative Fortenberry, Jeff [R-NE-1] (introduced 1/25/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 1/26/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

23. *H. Res. 41: Expressing the sense of the House of Representatives that a day should be established as "National Tartan Day" to recognize the outstanding achievements and contributions made by Scottish-Americans to the United States*

a. *Sponsor*.—Representative McIntyre, Mike [D-NC-7] (introduced 1/25/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 3/9/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

24. *H. Res. 69: Honoring the life and accomplishments of the late Ossie Davis*

a. *Sponsor*.—Representative Bishop, Sanford D., Jr. [D-GA-2] (introduced 2/8/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 2/9/2005 Passed/agreed to in House. Status: On motion to

suspend the rules and agree to the resolution Agreed to by voice vote.

25. *H. Res. 80: Commending fire chiefs associations*

a. Sponsor.—Representative Goode, Virgil H., Jr. [R–VA–5] (introduced 2/9/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 2/15/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

26. *H. Res. 85: Supporting the goals and ideals of “National MPS Day”*

a. Sponsor.—Representative Kind, Ron [D–WI–3] (introduced 2/10/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 3/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

27. *H. Res. 86: Congratulating the New England Patriots for winning Super Bowl XXXIX*

a. Sponsor.—Representative Frank, Barney [D–MA–4] (introduced 2/10/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 2/15/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

28. *H. Res. 124: Congratulating Jewish communities on their seven year completion of the 11th cycle of the daily study of the Talmud*

a. Sponsor.—Representative Weiner, Anthony D. [D–NY–9] (introduced 3/1/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 3/1/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

29. *H. Res. 142: Supporting the goals and ideals of a “Rotary International Day” and celebrating and honoring Rotary International on the occasion of its centennial anniversary*

a. Sponsor.—Representative Schakowsky, Janice D. [D–IL–9] (introduced 3/8/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/10/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 413–0 (Roll No. 163).

30. *H. Res. 148: Supporting the goals and ideals of Financial Literacy Month, and for other purposes*

a. Sponsor.—Representative Biggert, Judy [R–IL–13] (introduced 3/10/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 4/6/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 409–2 (Roll No. 95).

31. *H. Res. 184: Recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City*

a. Sponsor.—Representative Istook, Ernest J., Jr. [R–OK–5] (introduced 4/5/2005).

b. Legislative History.—Committees: House Government Reform. Latest Major Action: 4/20/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

32. *H. Res. 185: Honoring Johnnie Cochran, Jr. for his service to the Nation, and expressing condolences to his family, friends, colleagues, and admirers on his death*

a. Sponsor.—Representative Waters, Maxine [D–CA–35] (introduced 4/5/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/5/2005 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

33. *H. Res. 188: Recognizing and honoring firefighters for their many contributions throughout the history of the Nation*

a. Sponsor.—Representative Thompson, Bennie G. [D–MS–2] (introduced 4/5/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 4/6/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

34. *H. Res. 189: Expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons*

a. Sponsor.—Representative Sweeney, John E. [R–NY–20] (introduced 4/5/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 6/29/2006 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

35. *H. Res. 197: Honoring Franklin Delano Roosevelt*

a. Sponsor.—Representative Miller, George [D–CA–7] (introduced 4/6/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 4/13/2005 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

36. *H. Res. 227: Recognizing and honoring the contributions of Indian Americans to economic innovation and society generally*

a. Sponsor.—Representative Davis, Tom [R–VA–11] (introduced 4/21/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 4/26/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

37. *H. Res. 231: Recognizing and celebrating the life and accomplishments of the great African American jockey Jimmy “Wink” Winkfield and the significant contributions and excellence of other African American jockeys and trainers in the sport of horse racing and the history of the Kentucky Derby*

a. Sponsor.—Representative Rush, Bobby L. [D–IL–1] (introduced 4/21/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/5/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

38. *H. Res. 266: Supporting the goals and ideals of Peace Officers Memorial Day*

a. Sponsor.—Representative Hefley, Joel [R–CO–5] (introduced 5/5/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/16/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 391–0 (Roll No. 172).

39. *H. Res. 276: Supporting the goals and ideals of Pancreatic Cancer Awareness Month*

a. Sponsor.—Representative Platts, Todd Russell [R–PA–19] (introduced 5/12/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 10/6/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 415–0 (Roll No. 510).

40. *H. Res. 280: Celebrating Asian Pacific American Heritage Month*

a. Sponsor.—Representative Davis, Tom [R–VA–11] (introduced 5/17/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/23/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

41. *H. Res. 289: Supporting the goals and ideals of National Health Center Week in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes*

a. Sponsor.—Representative Davis, Danny K. [D–IL–7] (introduced 5/19/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 7/25/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

42. *H. Res. 294: Supporting the goals of “A Day of Commemoration of the Great Upheaval,” and for other purposes*

a. *Sponsor*.—Representative Boustany, Charles W., Jr. [R-LA-7] (introduced 5/24/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 7/25/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

43. *H. Res. 327: Supporting the goals and ideals of National Passport Month*

a. *Sponsor*.—Representative Lee, Barbara [D-CA-9] (introduced 6/16/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 6/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

44. *H. Res. 329: Honoring former President William Jefferson Clinton on the occasion of his 59th birthday*

a. *Sponsor*.—Representative Maloney, Carolyn B. [D-NY-14] (introduced 6/17/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 7/25/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

45. *H. Res. 339: Congratulating the San Antonio Spurs for winning the 2005 National Basketball Association Championship*

a. *Sponsor*.—Representative Smith, Lamar [R-TX-21] (introduced 6/24/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 6/30/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

46. *H. Res. 352: Providing that the House of Representatives will focus on removing barriers to competitiveness of the U.S. economy*

a. *Sponsor*.—Representative Tiahrt, Todd [R-KS-4] (introduced 7/11/2005).

b. *Legislative History*.—House Education and the Workforce; House Government Reform Latest Major Action: 7/12/2005 Failed of passage/not agreed to in House. Status: On motion to suspend the rules and agree to the resolution Failed by the Yeas and Nays: (2/3 required): 242–177 (Roll No. 367).

47. *H. Res. 355: Celebrating Walt Disney’s contributions to our Nation*

a. *Sponsor*.—Representative Sanchez, Loretta [D-CA-47] (introduced 7/11/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 7/14/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

48. *H. Res. 389: Supporting the goals and ideals of the Year of the Museum*

a. Sponsor.—Representative Slaughter, Louise McIntosh [D-NY-28] (introduced 7/26/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 2/8/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

49. *H. Res. 402: Supporting the goals and ideals of Infant Mortality Awareness Month*

a. Sponsor.—Representative Burgess, Michael C. [R-TX-26] (introduced 7/28/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 9/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

50. *H. Res. 429: Congratulating the West Oahu Little League Baseball team for winning the 2005 Little League Baseball World Series*

a. Sponsor.—Representative Abercrombie, Neil [D-HI-1] (introduced 9/7/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 9/21/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

51. *H. Res. 483: Supporting the ideals of National Teen Dating Violence and Prevention Week*

a. Sponsor.—Representative Millender-McDonald, Juanita [D-CA-37] (introduced 10/6/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 12/19/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

52. *H. Res. 487: Supporting the goals and ideals of Korean American Day*

a. Sponsor.—Representative Davis, Tom [R-VA-11] (introduced 10/7/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 12/13/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 405-0 (Roll No. 623).

53. *H. Res. 498: Supporting the goals and ideals of School Bus Safety Week*

a. Sponsor.—Representative Duncan, John J., Jr. [R-TN-2] (introduced 10/18/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 7/18/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 424-0 (Roll No. 381).

54. *H. Res. 517: Recognizing the life of Wellington Timothy Mara and his outstanding contributions to the New York Giants Football Club, the National Football League, and the United States*

a. *Sponsor*.—Representative Pascrell, Bill, Jr. [D–NJ–8] (introduced 10/26/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 3/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

55. *H. Res. 518: Honoring professional surveyors and recognizing their contributions to society*

a. *Sponsor*.—Representative Putnam, Adam H. [R–FL–12] (introduced 10/26/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 3/30/2006 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

56. *H. Res. 556: Expressing the sense of the House of Representatives that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic*

a. *Sponsor*.—Representative Baird, Brian [D–WA–3] (introduced 11/16/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 4/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 421–2 (Roll No. 98).

57. *H. Res. 574: Congratulating the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship*

a. *Sponsor*.—Representative Becerra, Xavier [D–CA–31] (introduced 11/18/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 12/13/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

58. *H. Res. 579: Expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for those who celebrate Christmas*

a. *Sponsor*.—Representative Davis, Jo Ann [R–VA–1] (introduced 12/6/2005).

b. *Legislative History*.—House Government Reform. Latest Major Action: 12/15/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by the Yeas and Nays: (2/3 required): 401–22, 5 Present (Roll No. 637).

59. *H. Res. 586: Commemorating the life, achievements, and contributions of Alan Reich*

a. *Sponsor*.—Representative Langevin, James R. [D–RI–2] (introduced 12/6/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 12/19/2005 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to without objection.

60. *H. Res. 587: Congratulating Tony Stewart on winning the 2005 NASCAR Nextel Cup Championship*

a. Sponsor.—Representative Sodrel, Michael E. [R-IN-9] (introduced 12/6/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 12/14/2005 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

61. *H. Res. 605: Recognizing the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States*

a. Sponsor.—Representative Fossella, Vito [R-NY-13] (introduced 12/14/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 9/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 399-0 (Roll No. 428).

62. *H. Res. 626: Congratulating Albert Pujols on being named the Most Valuable Player for the National League for the 2005 Major League Baseball season*

a. Sponsor.—Representative Carnahan, Russ [D-MO-3] (introduced 12/16/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 6/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

63. *H. Res. 627: Congratulating Chris Carpenter on being named the Cy Young Award winner for the National League for the 2005 Major League Baseball season*

a. Sponsor.—Representative Carnahan, Russ [D-MO-3] (introduced 12/16/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 5/9/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

64. *H. Res. 629: Supporting the goals and ideals of a Day of Hearts, Congenital Heart Defect Day in order to increase awareness about congenital heart defects, and for other purposes*

a. Sponsor.—Representative Price, Tom [R-GA-6] (introduced 12/16/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 2/14/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

65. *H. Res. 670: Congratulating the National Football League champion Pittsburgh Steelers for winning Super Bowl XL and completing one of the greatest postseason runs in professional sports history*

a. Sponsor.—Representative Murphy, Tim [R-PA-18] (introduced 2/7/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 2/8/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 384–0, 10 Present (Roll No. 5).

66. *H. Res. 721: Supporting the goals and ideals of a Salvadoran-American Day (El Dia del Salvadoreno) in recognition of all Salvadoran-Americans for their hard work, dedication, and contribution to the stability and well-being of the United States*

a. Sponsor.—Representative Solis, Hilda L. [D-CA-32] (introduced 3/9/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 7/18/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

67. *H. Res. 729: Supporting National Tourism Week*

a. Sponsor.—Representative Foley, Mark [R-FL-16] (introduced 3/16/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

68. *H. Res. 737: Supporting the goals and ideals of Financial Literacy Month, and for other purposes*

a. Sponsor.—Representative Biggert, Judy [R-IL-13] (introduced 3/28/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 4/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 423–1 (Roll No. 97).

69. *H. Res. 745: Supporting the goals and ideals of Pancreatic Cancer Awareness Month*

a. Sponsor.—Representative Platts, Todd Russell [R-PA-19] (introduced 3/29/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/25/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

70. *H. Res. 748: Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War*

a. Sponsor.—Representative Davis, Jo Ann [R-VA-1] (introduced 3/30/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

71. *H. Res. 752: Requesting the President to transmit to the House of Representatives not later than 14 days after the date of adoption of this resolution documents in the possession of the President relating to the receipt and consideration by the Executive Office of the President of any information concerning the variation between the version of S. 1932, the Deficit Reduction Act of 2005, that the House of Representatives passed on February 1, 2006, and the version of the bill that the President signed on February 8, 2006*

a. Sponsor.—Representative Waxman, Henry A. [D-CA-30] (introduced 3/30/2006).

b. Legislative History.—House Government Reform. House Reports: 109-457. Latest Major Action: 5/9/2006 Placed on the House Calendar, Calendar No. 172.

72. *H. Res. 753: Commending American craft brewers*

a. Sponsor.—Representative Boehlert, Sherwood [R-NY-24] (introduced 4/4/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

73. *H. Res. 763: Supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes*

a. Sponsor.—Representative Davis, Tom [R-VA-11] (introduced 4/5/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

74. *H. Res. 764: Recognizing and honoring firefighters for their many contributions throughout the history of the Nation*

a. Sponsor.—Representative Weldon, Curt [R-PA-7] (introduced 4/5/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 4/6/2006 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to by voice vote.

75. *H. Res. 773: Commending the American Jewish Committee for its century of leadership, and for other purposes*

a. Sponsor.—Representative Sessions, Pete [R-TX-32] (introduced 4/25/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 5/4/2006 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

76. *H. Res. 788: Supporting the goals and ideals of Peace Officers Memorial Day*

a. Sponsor.—Representative Hefley, Joel [R-CO-5] (introduced 5/2/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 5/16/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

77. *H. Res. 826: Expressing the sense of the House of Representatives that a National Youth Sports Week should be established*

a. Sponsor.—Representative McIntyre, Mike [D-NC-7] (introduced 5/19/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/19/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 311-0, 1 Present (Roll No. 291).

78. *H. Res. 867: Honoring the life and accomplishments of James Cameron*

a. Sponsor.—Representative Moore, Gwen [D-WI-4] (introduced 6/14/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/20/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

79. *H. Res. 881: Congratulating the National Hockey League Champions, the Carolina Hurricanes, on their victory in the 2006 Stanley Cup Finals*

a. Sponsor.—Representative Price, David E. [D-NC-4] (introduced 6/20/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

80. *H. Res. 887: Congratulating the Miami Heat for winning the 2006 NBA Championship*

a. Sponsor.—Representative Ros-Lehtinen, Ileana [R-FL-18] (introduced 6/22/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 6/26/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

81. *H. Res. 901: Honoring former President William Jefferson Clinton on the occasion of his 60th birthday*

a. Sponsor.—Representative Maloney, Carolyn B. [D-NY-14] (introduced 6/29/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 7/20/2006 House committee/subcommittee actions. Status: Ordered to be Reported by Unanimous Consent.

82. *H. Res. 912: Supporting the goals and ideals of National Life Insurance Awareness Month*

a. Sponsor.—Representative Biggert, Judy [R-IL-13] (introduced 7/12/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/6/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

83. *H. Res. 973: Recognizing Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life's goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process*

a. Sponsor.—Representative Hinojosa, Ruben [D-TX-15] (introduced 7/28/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

84. *H. Res. 974: Supporting the goals and ideals of National Myositis Awareness Day*

a. Sponsor.—Representative Israel, Steve [D-NY-2] (introduced 7/28/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/25/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

85. *H. Res. 983: Honoring the life and accomplishments of the late Robert E. O'Connor, Jr.*

a. Sponsor.—Representative Doyle, Michael F. [D-PA-14] (introduced 9/6/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/12/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

86. *H. Res. 99: Congratulating the Columbus Northern Little League Baseball Team from Columbus, GA, on its victory in the 2006 Little League World Series Championship games*

a. Sponsor.—Representative Westmoreland, Lynn A. [R-GA-8] (introduced 9/7/2006).

b. Legislative History.—House Government Reform. Latest Major Action: 9/28/2006 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution Agreed to by voice vote.

87. *H. Res. 994: Expressing the sense of the House of Representatives on the fifth anniversary of the terrorist attacks launched against the United States on September 11, 2001*

a. Sponsor.—Representative King, Peter T. [R-NY-3] (introduced 9/12/2006).

b. Legislative History.—House Government Reform; House International Relations; House Armed Services; House Transportation and Infrastructure; House Homeland Security; House Judiciary; House Intelligence (Permanent Select). Latest Major Action: 9/13/2006 Passed/agreed to in House. Status: On agreeing to the resolution Agreed to by the Yeas and Nays: 395–22, 1 Present (Roll No. 440).

88. *H.J. Res. 59: Expressing the sense of Congress with respect to the establishment of an appropriate day for the commemoration of the women suffragists who fought for and won the right of women to vote in the United States*

a. Sponsor.—Representative Berkley, Shelley [D-NV-1] (introduced 7/14/2005).

b. Legislative History.—House Government Reform. Latest Major Action: 8/2/2005 Became Public Law No. 109–49.

89. *H.J. Res. 61: Supporting the goals and ideals of Gold Star Mothers Day*

a. Sponsor.—Representative Gutknecht, Gil [R-MN-1] (introduced 7/20/2005).

b. Legislative History.—House Government Reform; Senate Judiciary. Latest Major Action: 10/7/2005 Referred to Senate committee. Status: Read twice and referred to the Committee on the Judiciary.

II. LEGISLATIVE HEARINGS

1. *“Wasted Space, Wasted Dollars: The Need for Federal Real Property Management Reform—Federal Real Property Disposal Pilot Program and Management Improvement Act of 2005,” June 22, 2005*

a. Summary.—The purpose of the hearing was to examine legislative solutions to the challenges of vacant, underutilized, and deteriorating Federal real property.

b. Witnesses.—Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and David M. Walker, Comptroller General of the United States.

2. *“Cutting Out the Waste: An Overview of H.R. 5766, the Government Efficiency Act; and H.R. 3282, the Abolishment of Obsolete Agencies and Federal Sunset Act of 2005,” July 19, 2006*

a. Summary.—The purpose of the hearing was to discuss two bipartisan legislative proposals intended to improve the operations and effectiveness of Federal programs and agencies: (1) H.R. 3282, the Abolishment of Obsolete Agencies and Federal Sunset Act of 2005, introduced by Representative Kevin Brady (R-TX); and (2) H.R. 5766, the Government Efficiency Act, introduced by Representative Todd Tiahrt (R-KS).

b. Witnesses.—Todd Tiahrt, Member of Congress; Kevin Brady, Member of Congress; James R. Horney, senior fellow, Center on Budget and Policy Priorities; and Charles M. Loveless, director of legislation, American Federation of State, County and Municipal Employees.

PART TWO: OVERSIGHT ACTIVITIES

I. FULL COMMITTEE

1. *“Confronting Recidivism: Prisoner Re-entry Programs and a Just Future for All Americans,” February 2, 2005*

a. *Summary.*—The hearing provided an opportunity to discuss the work of organizations that help to prevent recidivism and similar efforts of State and local governments. This hearing also examined the role of the Federal Government in assisting State and local incarceration systems in order to reduce recidivism. H.R. 4676, the Second Chance Act of 2004 offered by Rob Portman (OH) and Danny Davis (IL), was also discussed during this hearing. The Second Chance Act of 2004 would reauthorize current Department of Justice prisoner re-entry projects and establish or rewrite other programs. In addition, the Attorney General, the Secretary of Labor and the Secretary of Health and Human Services are required to establish consolidated monitoring centers and to perform greater oversight of cooperation with state and local authorities.

b. *Witnesses.*—Representative Rob Portman; Representative Danny Davis; Felix Mata, Baltimore City’s Ex-Offender Initiative, Mayor’s Office of Employment Development; Reginald A. Wilkinson, Ed.D., Ohio Rehabilitation and Corrections Agency; Paul A. Quander, District of Columbia Court Services and Offender Supervision Agency; Jim McNeil and David Russell, Mentor and Protégé in the InnerChange Freedom Initiative; Pat Nolan, Prison Fellowship; Joseph Williams, Transition of Prisoners; Chaplain Robert Toney, Angola Prison, Louisiana; Frederick A. Davie, senior vice president of public policy, Public/Private Ventures; Lorna Hogan, mother advocate, Rebecca Project for Human Rights, Washington, DC; and George A.H. Williams, Treatment Alternatives for Safe Communities, Chicago, IL.

2. *“The Perplexing Shift from Shortage to Surplus: Managing This Season’s Flu Shot Supply and Preparing For the Future,” February 10, 2005*

a. *Summary.*—The purpose of this hearing was to consider how public perceptions and needs were managed and addressed for the remainder of the 2004–2005 flu season and to discuss what actions were taken to plan for the flu season. In addition, the committee received a status report from FDA regarding the implementation of Chiron’s remediation plan and how it is worked with both British health officials and Chiron to ensure Chiron’s capability to manufacture vaccine for the next flu season.

b. *Witnesses.*—Dr. Julie L. Gerberding, Director, Centers for Disease Control and Prevention; Dr. Jesse L. Goodman, Director, Center for Biologics Evaluation and Research, Food and Drug Administration; Dr. Fay W. Boozman III, president-elect, Association for

State and Territorial Health Officials; Dr. Robert B. Stroube, commissioner, Virginia Department of Health; Dr. Walter A. Orenstein, associate director, Emory Vaccine Center; and Dr. Alan G. Wasserman, chairman, Department of Medicine, George Washington University Medical Center.

3. *“Wounded Army Guard and Reserve Forces: Increasing the Capacity to Care,” February 17, 2005*

a. *Summary.*—The purpose of the hearing was to examine the effectiveness and efficiency of U.S. Army medical administrative processes and procedures that govern injured Army Guard and Reserve soldiers. The hearing focused on: examining current administrative processes in medical treatment facilities that effect injured Guard and Reserve soldiers and their families; the Army’s continuing challenges with oversight, management, infrastructure, automated system integration, and resources affecting the care and morale of injured Army Guard and Reserve; and presented GAO’s findings and recommendations of its report: *Military Pay: Gaps in Pay and Benefits Create Financial Hardships for Injured Army National Guard and Reserve Soldiers*.

b. *Witnesses.*—Gregory D. Kutz, Director, Financial Management and Assurance, U.S. Government Accountability Office; Brigadier General Raymond C. Byrne, Jr., Acting State Adjutant General of Oregon; Sergeant First Class John Allen, B/3/20th Special Forces Group, North Carolina National Guard; Sergeant Joseph Perez, 72nd Military Police Company, Nevada National Guard; Chief Warrant Officer Rodger L. Shuttleworth, Chief, Reserve Component Personnel Support Services Branch, Army Human Resources Command, Maryland National Guard; Master Sergeant Daniel Forney, Reserve Component Liaison, Medical Hold, Walter Reed Medical Center, U.S. Army Reservist from Pennsylvania; Specialist Brian Robinson and Mrs. Nicole Robinson, 72nd Military Police Company, Nevada National Guard (written testimony only); Ellen Embrey, Deputy Assistant Secretary of Defense for Deployment Health, U.S. Department of Defense; Dr. Daniel Denning, Principal Deputy Assistant Secretary of the Army for Manpower and Reserve Affairs; Lieutenant General Franklin L. Hagenbeck, Deputy Chief of Staff, G-1, U.S. Army; Lieutenant General Kevin C. Kiley, M.D., U.S. Army Surgeon General; Major General Charles Wilson, Deputy Commander, U.S. Army Reserve Command; and Philip E. Sakowitz, Jr., Deputy Director, U.S. Army Installations Management Agency.

4. *“The Capital Region’s Critical Link: Ensuring Metrorail’s Future as a Safe, Reliable and Affordable Transportation Option,” February 18, 2005*

a. *Summary.*—The Washington Metro Area Transit system has become a vital part of everyday life in the Nation’s Capital, providing an indispensable commuting option for hundreds of thousands of the area’s workers and out-of-town visitors each day. Given the reliance of the Federal workforce on Metro, the committee examined Metro’s expressed needs as well as its operational and management performance.

b. Witnesses.—Richard A. White, chief executive officer, Washington Metropolitan Area Transit Authority; Dana Kauffman, chairman of the Board, Washington Metropolitan Area Transit Authority; William Millar, president, American Public Transportation Association; Mortimer L. Downey, chairman of the Board, PB Consult; and John J. Corbett, Jr., co-founder, Metroriders.org.

5. *“Making Networx Work: Countdown to the RFP for the Federal Government’s Telecommunications Program,” March 3, 2005*

a. Summary.—The third in a series of oversight hearings on the General Services Administration’s [GSA] Networx telecommunications program, this hearing focused on the acquisition strategy of the program as proposed by GSA. The committee was interested in whether the strategy would provide robust competition from the entire spectrum of the marketplace, including the largest industry players and smaller non-traditional technology firms that offer innovative solutions, to meet the government’s increasingly complex telecommunications requirements.

b. Witnesses.—Stephen Perry, Administrator, GSA, accompanied by Barbara Shelton, Acting Commissioner, Federal Technology Service, and John Johnson, Assistant Commissioner for Service Development and Delivery, Federal Technology Service; Linda Koontz, Director, Information Management Issues, U.S. Government Accountability Office; Jerry Hogge, senior vice president, Level 3 Communications LLC; Robert Collet, vice president, engineering, AT&T Government Solutions; Shelley Murphy, vice president, Federal markets, Verizon; Jerry A. Edgerton, senior vice president, Government markets, MCI; Jeffery Storey, CEO, WilTel Communications; Tony D’Agata, vice president and general manager, Sprint GSD; Don Scott, senior vice president, EDS U.S. Government Solutions; David Bittenbender, vice president, Network Services, Computer Sciences Corp., Federal Sector; James Courter, CEO and vice chairman IDT Corp.; Mike Cook, senior vice president and general manager, Hughes Network Systems; Diana Gowen, president, Broadwing Government Solutions, Broadwing Communications LLC; and Gregory Baroni, president, Global Public Sector, Unisys Corp.

6. *“Is Uncle Sam Still Passing the Buck? The Burden of Unfunded Mandates on State, County, and City Governments,” March 8, 2005*

a. Summary.—The committee held a hearing to examine financial burdens on State, local, and tribal governments and private sector parties. In 1995, Congress passed the Unfunded Mandates Reform Act of 1995. The purpose of this landmark legislation was to promote informed decisions by the Congress and the executive branch about the effects of Federal mandates on other levels of government and the private sector. In so doing, the act would help ensure the Federal Government provided the appropriate level of funding. As State and local budgets have come under increasing stress in recent years, unfunded mandates have become increasingly burdensome. The committee took testimony to examine the actions of the Federal Government entities charged with carrying out the provisions of UMRA as well as the impact of Federal legis-

lative and regulatory action on State and local jurisdictions since UMRA's passage.

b. Witnesses.—Douglas Holtz-Eakin, Director, Congressional Budget Office; Angelo Kyle, president, National Association of Counties; Gerald W. Hyland, supervisor, Fairfax County Board of Supervisors; John Hurson, president, National Conference of State Legislatures; Mick Cornett, mayor, Oklahoma City, OK; John D. Graham, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; and Orice Williams, Director, Strategic Issues, U.S. Government Accountability Office.

7. *“Getting the Lead Out: The Ongoing Quest for Safe Drinking Water in the Nation’s Capital,” March 11, 2005*

a. Summary.—The purpose of this oversight hearing was to provide a forum for the committee to assess the coordinated actions of EPA, which is responsible for the Public Water System Supervision Program for the District of Columbia, the Washington Aqueduct of the U.S. Army Corps of Engineers, which treats the water supplied to the District, and WASA, which purchases the water from the Aqueduct and distributes it to District residents. The committee also explored whether the current Safe Drinking Water program is adequate to assure safe drinking water for the consuming public or whether it needs to be changed.

b. Witnesses.—Benjamin Grumbles, Acting Assistant Administrator, Office of Water, EPA, and Donald S. Welsh, Regional Administrator, EPA Region III; Thomas P. Jacobus, P.E., General Manager, Washington Aqueduct, U.S. Army Corps of Engineers; Glenn S. Gerstell, chairman, D.C. WASA; Erik D. Olson, Sr. Attorney, Natural Resources Defense Council; Dr. Ellen K. Silbergeld, Bloomberg School of Public Health, Johns Hopkins University; and Dr. Marc Edwards, Dept. of Civil and Environmental Engineering, Virginia Tech.

8. *“Service Oriented Streamlining: Rethinking the Way GSA Does Business,” March 16, 2005*

a. Summary.—This oversight hearing examined the possible restructuring of the General Services Administration’s [GSA] operations—particularly its Federal Supply Service [FSS] and Federal Technology Service [FTS]—in order to meet the demands of the modern government market and to address GSA’s management challenges. Out of this hearing, the committee developed H.R. 2066, the “General Services Administration Modernization Act of 2005.”

b. Witnesses.—Stephen Perry, Administrator, GSA; Deidre Lee, Director of Defense Procurement and Acquisition Policy, U.S. Department of Defense; Eugene Waszily, Assistant Inspector General for Auditing, U.S. General Services Administration; Thomas Hewitt, CEO, Global Government, on behalf of the Information Technology Association of America; Vic Avetissian, corporate director, Northrop Grumman Corp. on behalf of the Contract Services Association; Mike Davison, director and general manager, Canon Government Marketing Division on behalf of the Coalition on Government Procurement; Elaine Dauphin, vice president GSA programs, Computer Sciences Corp. on behalf of the Professional Services

Council; and Richard Brown, president, National Federation of Federal Employees.

9. *“Restoring Faith in America’s Pastime: Evaluating Major League Baseball’s Efforts to Eradicate Steroid Use,” March 17, 2005*

a. Summary.—This hearing evaluated MLB’s recently negotiated drug policy; how the testing policy would be implemented; how it would effectively address the use of prohibited drugs by players; and the larger societal and public health ramifications of steroid use.

b. Witnesses.—Jim Bunning, U.S. Senator (Kentucky) and member of the Major League Baseball Hall of Fame; Mr. Raymond and Dr. Denise Garibaldi, parents of former USC baseball player, Rob Garibaldi, who committed suicide after steroid use; Donald Hooton, Sr., director, chairman, and president of Taylor Hooton Foundation, and father of high school baseball player, Taylor Hooton, who committed suicide after steroid use; Dr. Nora D. Volkow, Director, National Institute on Drug Abuse, National Institutes of Health; Dr. Gary I. Wadler, associate professor of clinical medicine, New York University School of Medicine; Dr. Kirk Brower, associate professor of psychiatry, University of Michigan Medical School, and executive director, Chelsea Arbor Addiction Treatment Center; Jose Canseco, former Oakland Athletic and Texas Ranger; Mark McGwire, former Oakland Athletic and St. Louis Cardinal; Rafael Palmeiro, current Baltimore Oriole and former Texas Ranger; Curt Schilling, current Boston Red Sox; Sammy Sosa, current Baltimore Oriole and former Chicago Cub; Frank Thomas, current Chicago White Sox, via video conference; Commissioner Allan H. Selig, Major League Baseball, accompanied by Robert D. Manfred, Jr., executive vice president labor and human resources, Major League Baseball; Don Fehr, executive director and general counsel, Major League Baseball Players Association; Sandy Alderson, executive vice president of baseball operations, Major League Baseball and former general manager, Oakland Athletics; and Kevin Towers, general manger, San Diego Padres.

10. *“No Computer System Left Behind: A Review of the Federal Government’s D+ Information Security Grade,” April 7, 2005*

a. Summary.—This hearing reviewed the status of the Federal Information Security Management Act of 2002 [FISMA] implementation and the results of the 2004 FISMA scorecards to help gauge Federal agencies’ progress in securing their information systems.

b. Witnesses.—Greg Wilshusen, Director, Information Security Issues, Government Accountability Office; Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; Bruce N. Crandlemire, Assistant Inspector General for Audit, U.S. Agency for International Development; John Streufert, Acting Chief Information Officer, U.S. Agency for International Development; Frank Deffer, Assistant Inspector General for Information Technology, Department of Homeland Security; Steve Cooper, Chief Information Officer, Department of Homeland Security; Ted Alves, Assistance Inspector General for IT and Financial Management, Department of Transportation; and

Daniel Matthews, Chief Information Officer, Department of Transportation.

11. *“OMB Management Watch List: \$65 Billion Reasons to Ensure the Federal Government is Effectively Managing Information Technology Investments,” April 21, 2005*

a. Summary.—For the fiscal year 2005 budget, the Office of Management and Budget [OMB] developed processes and criteria for including information technology investments on its Management Watch List. This hearing examined how OMB used the Watch List to identify opportunities to strengthen investments and promote improvements in IT management, how OMB’s use of the Watch List impacts daily operations in select agencies, and the efforts agencies have taken to have their projects removed from the Watch List.

b. Witnesses.—Karen Evans, Administrator, Electronic Government and Information Technology, Office of Management and Budget; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Dan Matthews, Chief Information Officer, U.S. Department of Transportation; Robert McFarland, Assistant Secretary for Information Technology, Department of Veterans Affairs; Rosita Parkes, Chief Information Officer, U.S. Department of Energy; and Lisa Schlosser, Chief Information Officer, U.S. Department of Housing and Urban Development.

12. *“Digging Up the Facts: Inspecting the Big Dig and the Performance of Federal and State Government in Providing Oversight of Federal Funds,” April 22, 2005 (Boston, MA)*

a. Summary.—This field hearing was held in Boston, MA to assess the status of the Central Tunnel/Artery Project, or the “Big Dig,” one of the largest and most expensive Federal highway projects in the United States, that began in 1980 at a cost of \$2 billion and grew to an estimated \$14.625 billion. The Boston project was scheduled for completion in late 2005. The purpose of the hearing was to assess the status of the Big Dig and the efforts to remedy the tunnel leaks, what has been learned from this mega-highway project, and implementation of safeguards for other federally funded projects.

b. Witnesses.—D.J. Gribbin, Chief Counsel, Federal Highway Administration, U.S. Department of Transportation; Kenneth Meade, Inspector General, U.S. Department of Transportation; Tom Reilly, attorney general, Commonwealth of Massachusetts; Matthew J. Amorello, chairman, Massachusetts Turnpike Authority; John MacDonald, chairman of the Board of Control for Bechtel/Parsons Brinckerhoff, accompanied by Morris Levy, senior vice president, Parsons Brinckerhoff, and Keith S. Sibley, program manager, Central Artery Tunnel Project, Bechtel/Parsons Brinckerhoff; and George J. Tamaro, partner, Mueser Rutledge Consulting Engineers.

13. *“Steroid Use in Sports, Part II: Examining the National Football League’s Policy on Anabolic Steroids and Related Substances,” April 27, 2005*

a. Summary.—This hearing evaluated the NFL’s drug policy; how the testing policy was implemented; how it would effectively address the use of prohibited drugs by players; and the larger societal and public health ramifications of steroid use.

b. Witnesses.—Willie Stewart, head football coach, Anacostia High School, Washington, DC; Dr. Linn Goldberg, professor of medicine, Oregon Health Sciences University; Dr. Gary I. Wadler, associate professor of clinical medicine, New York University School of Medicine; Dr. John A. Lombardo, NFL advisor on anabolic steroids and related substances; Dr. Bryan Finkle, NFL consulting toxicologist on anabolic steroids and related substances; Steve Courson, ex-NFL player, Pittsburgh Steelers, Tampa Bay Buccaneers; Paul Tagliabue, commissioner, National Football League; Harold Henderson, executive vice president, labor relations, National Football League; and Gene Upshaw, executive director, National Football League Players Association.

14. *“Who’s Watching the COOP? A Re-Examination of Federal Agencies’ Continuity of Operations Plans,” April 28, 2005*

a. Summary.—The hearing was a follow-up to the hearing on April 22, 2004 and reviewed executive branch progress since that hearing in developing effective continuity of operations plans [COOP] to ensure continuation of essential agency functions in the event of a disruptive disaster or attack. Specifically, the hearing assessed how FEMA is monitoring and measuring COOP readiness, the status of Federal agencies’ compliance with COOP planning directives and whether the new guidance contained in FPC 65 is helping agencies clarify their essential functions. The committee also focused on how telework can be used to enhance Federal COOP readiness.

b. Witnesses.—Reynold N. Hoover, Director, Office of National Security Coordination, Federal Emergency Management Agency, U.S. Department of Homeland Security; Marta Brito Perez, Associate Director, Human Capital Leadership and Merit System Accountability, U.S. Office of Personnel Management; Linda Koontz, Director, Information Management, U.S. Government Accountability Office; James A. Kane, president and CEO, Systems and Software Consortium; and Julie Williams, director, Internet Business Solutions Group, Federal Civilian Agency Practice, Cisco Systems.

15. *“Risk and Responsibility: The Roles of FDA and Pharmaceutical Companies in Ensuring the Safety of Approved Drugs, Like Vioxx,” May 5, 2005*

a. Summary.—The hearing purpose was to gain a better understanding of drug safety. Specifically, the committee examined the post approval actions taken by both the Food and Drug Administration and Merck and Co., Inc. as it related to the drug Vioxx (rofecoxib).

b. Witnesses.—Dr. Steven Galson, Director, Center for Drug Evaluation and Research, Food and Drug Administration, accompanied by Dr. John Jenkins, Director, Office of New Drugs, Center for

Drug Evaluation and Research, Food and Drug Administration, and Dr. Paul Seligman, Director, Office of Pharmacoepidemiology, Center for Drug Evaluation and Research, Food and Drug Administration and former Acting Director, Office of Drug Safety; Dennis M. Erb, Ph.D., vice president of global strategic regulatory development for Merck and Co., Inc.; John E. Calfee, resident scholar, American Enterprise Institute; and Dr. Michael Wilkes, MD, PhD, vice dean for medical education and professor of internal medicine, University of California, Davis.

16. *"Securing Our Borders: What Have We Learned From Government Initiatives and Citizen Patrols?" May 12, 2005*

a. *Summary.*—This hearing reviewed the Federal Government's ability, strategy, and tactics used to secure U.S. borders.

b. *Witnesses.*—Robert C. Bonner, Commissioner, U.S. Customs and Border Protection, U.S. Department of Homeland Security; Chris Simcox, co-founder, the Minuteman Project; T.J. Bonner, president, National Border Patrol Council; and Janice Kephart, former counsel, the National Commission on Terrorist Attacks Upon the United States.

17. *"Domestic Source Restrictions Threaten Free Trade: What is the Federal Government Doing to Ensure a Level Playing Field in the Global Economy?" May 13, 2005*

a. *Summary.*—As the Chinese government overhauls its standards-setting process, there are inevitable changes to the country's procurement policies and regulations that may protect Chinese interests but are potentially burdensome to non-Chinese companies that wish to sell their goods and services in China. This hearing examined the potential impact of China's pending regulation as it affects the Chinese government's acquisition of software, the Federal Government's efforts to persuade China to abandon discriminatory policies, and the implications of this procurement regulation on U.S. companies and the U.S. economy as a whole.

b. *Witnesses.*—Benjamin H. Wu, Assistant Secretary for Technology and Acting Director for National Technical Information Service, U.S. Department of Commerce; Charles Freeman, Assistant U.S. Trade Representative of China Affairs, Office of the U.S. Trade Representative; Mark Bohannon, Software Information Industry Association; Robert Cresanti, vice president, Business Software Alliance; and John Frisbie, president, US-China Business Council.

18. *"Steroid Use in Sports Part III: Examining the National Basketball Association's Steroid Testing Program," May 19, 2005*

a. *Summary.*—This hearing assessed the NBA's drug policy; how the testing policy was implemented; how effectively it addressed the use of prohibited drugs by players; and the larger societal and public health ramifications of steroid use.

b. *Witnesses.*—David Stern, commissioner, National Basketball Association; Richard W. Buchanan, senior vice president and general counsel, National Basketball Association; William Hunter, executive director, National Basketball Players Association; Keith

Jones, V.P. of basketball operations/athletic trainer, Houston Rockets; and Juan Dixon, player, Washington Wizards.

19. *"Declaration of Education: Toward a Culture of Achievement in D.C. Public Schools," May 20, 2005*

a. *Summary.*—The District of Columbia Public School system has been plagued by management problems, declining enrollment, crumbling facilities, escalating violence, and poor academic achievement. Witnesses testified about the collaborative effort among school staff, parents, policymakers, agencies, and organizations to improve student participation and performance. The committee acknowledged that the lack of performance improvement is a major threat to the future growth and stability of the city.

b. *Witnesses.*—Robert C. Bobb, deputy mayor/city administrator, government of the District of Columbia; Kathleen Patterson, chairperson, Committee on Education, Libraries, and Recreation, Council of the District of Columbia; Clifford B. Janey, superintendent, District of Columbia Public Schools; Peggy Cooper Cafritz, president, District of Columbia Board of Education; Charles Ramsey, chief of police, Metropolitan Police Department; Brenda Donald Walker, Director, Child and Family Services Agency; Jason Kamras, National Teacher of the Year; Iris Toyer, Chair, Parents United for the District of Columbia Public Schools; and Carolyn Dallas, executive director, Youth Court.

20. *"Federal Student Loan Programs: Are They Meeting the Needs of Students and Schools?" May 26, 2005*

a. *Summary.*—The Federal Government operates two major student loan programs: the Federal Family Education Loan Program [FFELP] and the William D. Ford Direct Loan Program [FDLP]. This hearing examined the Department of Education's record in managing the student aid programs; its initiatives to enhance management and delivery of services to students, families, and schools; and highlighted the important role of competition between FFELP and FDLP in promoting better service to students and schools and streamlined delivery of both programs.

b. *Witnesses.*—Theresa S. Shaw, Chief Operating Officer, Federal Student Aid Office, U.S. Department of Education; John P. Higgins, Jr., Inspector General, U.S. Department of Education; Dr. Alan Merten, president, George Mason University; Sarah Bauder, director of student financial aid, University of Maryland; Natala Hart, director of student financial aid, Ohio State University; Cynthia Thornton, director of student financial aid, Dillard University; and Nancy Coolidge, coordinator, Federal Student Financial Support, Office of the President, University of California.

21. *"Assessing the Department of Homeland Security's Mission Effectiveness: Is it Enough to Meet the Terrorist Threat?" June 9, 2005*

a. *Summary.*—The purpose of the hearing was to hear the new Secretary of Homeland Security's assessment of the Department's overall effectiveness in meeting its core mission—specifically its operations, management, and opportunities for performance improvement. Implementation of specific programs was also addressed, in-

cluding the U.S. Citizenship and Immigration Services, US VISIT, and implementation of the Support Anti-Terrorism by Fostering Effective Technologies Act of 2002.

b. Witness.—Michael Chertoff, Secretary of the Department of Homeland Security.

22. *“Eradicating Steroid Use, Part IV: Examining the Use of Steroids by Young Women to Enhance Athletic Performance and Body Image,” June 15, 2005*

a. Summary.—This hearing considered the potential health risks associated with illicit steroid use by females, the pervasiveness of this problem, and the need for prevention programs targeting middle and high school-aged females who might use steroids for purposes of athletic excellence and/or aesthetic enhancement.

b. Witnesses.—Kelli White, former World Champion sprinter; Dr. Diane Elliot, professor of medicine, Oregon Health and Science University; Dr. Todd Schlifstein, clinical instructor, New York University School of Medicine; Dr. Harrison Pope, professor of psychiatry, McLean Hospital, Belmont, MA; Dr. Avery Faigenbaum, professor of health and exercise science, the College of New Jersey; and Dr. Charles Yesalis, professor of health policy and administration, the Pennsylvania State University.

23. *“Under Fire: Does the District of Columbia’s Gun Ban Help or Hurt the Fight Against Crime?” June 28, 2005*

a. Summary.—In 1976, District of Columbia Council passed the Firearms Control Regulations Act of 1975, a law prohibiting the possession of unregistered firearms, and banned the registration of all handguns, as well as automatic and high-capacity semi-automatic firearms. Witnesses were asked to provide testimony on the effect of the District’s gun laws, the effect of repeal of the District’s gun laws, and the legal and constitutional issues relating to the District of Columbia’s gun laws.

b. Witnesses.—John R. Lott, resident scholar, American Enterprise Institute; Robert A. Levy, senior fellow in constitutional studies, the Cato Institute; Robert Peck, president, Greater Washington Board of Trade; Reverend Lionel Edmonds, co-chair, Washington Interfaith Network; Sandra Seegers, District of Columbia resident; Tyrone Parker, executive director, Alliance of Concerned Men; and Francine Lowe, District of Columbia resident.

24. *“To Lead or To Follow: The Next Generation Internet and the Transition to IPv6,” June 29, 2005*

a. Summary.—The hearing provided an overview Internet Protocol version 6 [IPv6] and the Federal Government’s transition to the new standard. OMB outlined its timeline for agency planning and transition. GAO highlighted the opportunities and risks that the Federal Government faces with the transition, and discussed the findings of its study on Federal agency transition efforts. In addition, the hearing provided a review of current transition efforts, international migration to the new protocol, commercial opportunities and challenges, and the implications of the transition for content and services.

b. Witnesses.—Karen Evans, Administrator for Electronic Government and Information Technology, Office of Management and Budget; David Powner, Director of Information Technology Management Issues, Government Accountability Office; Keith Rhodes, Chief Technologist and Director, Center for Technology and Engineering, Government Accountability Office; George G. Wauer, Director, Architecture and Interoperability, Office of the Assistant Secretary of Defense for Networks and Information Integration and Office of Chief Information Officer accompanied by Major General Dennis Moran, Vice Director of Command, Control, Communications, and Computer Systems, Joint Chiefs of Staff, Department of Defense; Jawad Khaki, corporate vice president, Microsoft Corp.; Stan Barber, vice president, NTT/Verio Inc.; and Alex Lightman, chief executive officer, Charmed Technologies, Inc.

25. *"The Next Flu Pandemic: Evaluating U.S. Readiness," June 30, 2005*

a. Summary.—This hearing evaluated U.S. preparedness levels and the ability to respond to the global infectious disease threat of influenza pandemic. The past few annual influenza seasons, as well as recent avian flu activity in Asia, have raised the urgent question of whether the United States is prepared to deal with the threat of a flu pandemic. The purpose of this hearing was to assess our public health system's response capabilities at the Federal, State, and local levels, and to determine what additional measures are needed in order to improve preparations and reduce risks posed by an avian flu outbreak.

b. Witnesses.—Dr. James W. LeDuc, Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Dr. Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health; Dr. Bruce Gellin, Director, National Vaccine Planning Office, Department of Health and Human Services; Dr. Marcia Crosse, Director, Health Care Issues, U.S. Government Accountability Office; Mary C. Selecky, Washington State Secretary of Health, testifying on behalf of the Association of State and Territorial Health Officials; Dr. Dominick Iacuzio, medical director, Roche Laboratories, Inc.; Dr. Shelley A. Hearne, executive director, Trust for America's Health; and Dr. John F. Milligan, executive vice president and chief financial officer, Gilead Sciences, Inc.

26. *"One Year Later: Evaluating the Effectiveness of Project BioShield," July 14, 2005*

a. Summary.—This oversight hearing assessed the implementation of Project BioShield thus far. The purpose of this hearing was to consider whether the Project BioShield program is being adequately implemented to accelerate the research, development, and purchase of effective countermeasures against agents of bioterrorism.

b. Witnesses.—Stewart Simonson, Assistant Secretary for Public Health Emergency Preparedness, Department of Health and Human Services; Dr. Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Department of Health and Human Services; Dr. John Vitko, Direc-

tor, Homeland Security Science and Technology Advisory Committee, Department of Homeland Security; Robert G. Kramer, CEO, BioPort Corp.; Richard B. Hollis, CEO, Hollis-Eden Pharmaceuticals; and Gerald L. Epstein, senior fellow for science and security, Homeland Security Program, Center for Strategic and International Studies.

27. *"Controlling Restricted Airspace: An Examination of the Management and Coordination of Our National Air Defense," July 21, 2005*

a. Summary.—Securing and defending U.S. airspace is critically dependent upon rapid interagency coordination and information sharing between the FAA, the Department of Homeland Security [DHS], and the Department of Defense [DOD]. Ineffective coordination leaves the Federal Government incapable of determining whether an aircraft violating restricted airspace presents hostile intent, resulting in little or no time to stop a terrorist threat. This hearing examined how effectively these agencies are monitoring restricted air space, specifically addressing coordination, information sharing, common protocols, procedures and leadership challenges since the September 11th terrorist attacks. The hearing also presented the unclassified version of the Government Accountability Office's study entitled: *Homeland Security: Agency Resources Address Violations of Restricted Airspace, but Management Improvements Are Needed.*

b. Witnesses.—Davi M. D'Agostino, Director, Defense Capabilities and Management, Government Accountability Office; Paul McHale, Assistant Secretary of Defense for Homeland Defense, Department of Defense; Major General Marvin S. Mayes, Commander, 1st Air Force and Continental U.S. North American Aerospace Defense Command Region, Department of Defense; Robert A. Sturgell, Deputy Administrator, Federal Aviation Administration; and Kenneth S. Kasprisin, Acting Assistant Secretary for Homeland Security, Transportation Security Administration, Department of Homeland Security.

28. *"BRAC and Beyond: An Examination of the Rationale Behind Federal Security Standards for Leased Space," July 27, 2005*

a. Summary.—The committee reviewed the development and implementation of security standards for Federal leased space including the guidelines established by the Interagency Security Committee and DOD's Anti-terrorism Force Protection standards. The committee examined whether the DOD Anti-terrorism Force Protection standards were improperly used as a de facto ninth criteria in the 2005 round of base closings pursuant to the Base Realignment and Closure Act.

b. Witnesses.—Hon. Jim Moran, U.S. House of Representatives (VA-8); Dwight M. Williams, Chief Security Officer, Department of Homeland Security; F. Joseph Moravec, Commissioner of Public Buildings Service, General Services Administration; John Jester, Director, Pentagon Force Protection Agency, Department of Defense; and Get Moy, Director, Installation Requirements and Management, Department of Defense.

29. *"Keeping Metro on Track: The Federal Government's Role in Balancing Investment with Accountability at Washington's Transit Agency," July 28, 2005*

a. Summary.—This hearing was a continuation of a hearing held in February 2005, and will examine the role of the Federal Government in helping Washington Metropolitan Transit Authority address its funding challenges and management operations. The hearing also assessed whether additional oversight is needed, especially in light of the sizeable request Metro has made for Federal assistance.

b. Witnesses.—Katherine Siggerud, Director, Physical Infrastructure Issues, GAO; Richard White, chief executive officer, Washington Metropolitan Area Transit Authority; Dana Kauffman, chairman of the Board, Washington Metropolitan Area Transit Authority; William Millar, president, American Public Transportation Association; Robert Puentes, fellow, Metropolitan Policy, Brookings Institute; and Pauline Schneider, partner, Hunton and Williams, member, Federal City Council.

30. *"Part Two: Interior Department: A Culture of Managerial Irresponsibility and Lack of Accountability," September 14, 1006*

31. *"Back to the Drawing Board: A First Look at Lessons Learned From Katrina," September 15, 2005*

a. Summary.—The purpose of the hearing was to investigate the emergency plans in major cities other than New Orleans that are most vulnerable to natural disasters or man-made catastrophic events. The hearing focused on local government experiences and expertise in preparing for emergencies, developing plans, coordinating with other jurisdictions, and recommendations for improving emergency preparedness planning.

b. Witnesses.—Marc Morial, president and chief executive officer, National Urban League, Inc.; Constance Perett, administrator, Office of Emergency Management, County of Los Angeles, CA; Ellis Stanley, manager, Emergency Preparedness Department, city of Los Angeles, CA; David J. Robertson, executive director, Metropolitan Washington Council of Governments; Robert C. Bobb, city administrator, District of Columbia; Tony Carper, director, Broward Emergency Management Agency, Broward County, FL; Chief Carlos Castillo, director, Miami-Dade Office of Emergency Management Miami-Dade County, FL; Dr. John R. Harrauld, professor of engineering management, the George Washington University and director, Institute for Crisis, Disaster, and Risk Management; and Dr. James J. Carafano, senior fellow for National Security and Homeland Security, Heritage Foundation.

32. *"The Last Frontier: Bringing the IT Revolution to Healthcare," September 29, 2005*

a. Summary.—The hearing examined the progress and challenges associated with the development of a national health IT strategy. In addition, the hearing provided a review of the development of standards for the collection and use of health information to facilitate information sharing, as well as the challenges to achieving interoperability among health IT systems.

b. Witnesses.—Dr. David Brailer, National Coordinator for Health Information Technology, U.S. Department of Health and Human Services; Dr. Robert M. Kolodner, Chief Health Informatics Officer, Veterans Health Administration; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Dr. Carol Diamond, managing director, Markle Foundation; Janet M. Marchibroda, chief executive officer, eHealth Initiative and Foundation; Diane M. Carr, associate executive director, Healthcare Information Systems, Queens Health Network; and Larry Blue, vice president and general manager, Symbol Technologies.

33. *“The Critical Role of the National Guard at Home and Abroad,”*
October 20, 2005

a. Summary.—While it is clear Army and Air National Guard personnel are making significant contributions to the Nation’s security, it is less certain that they will continue to be resourced and equipped to fulfill their massive Federal responsibilities, as well as the expressed needs of the States. This hearing examined the current National Guard equipment situation and how Department of Defense [DOD] and Department of the Army transformation policies affect the Guard’s level of readiness to meet overseas and homeland missions. At this hearing, the Government Accountability Office released its report entitled: “Reserve Forces: Plan Needed to Improve Army National Guard Equipment Readiness and Better Integrate Guard into Army Force Transformation Initiatives.”

b. Witnesses.—Edward Rendell, Governor, Commonwealth of Pennsylvania; Dirk Kempthorne, Governor, State of Idaho; David Walker, Comptroller General of the United States, accompanied by Janet A. St. Laurent, Director, Defense Capabilities and Management, Government Accountability Office; Thomas F. Hall, Assistant Secretary of Defense for Reserve Affairs, U.S. Department of Defense; Lieutenant General Davis F. Melcher, Deputy Chief of Staff, U.S. Army; Lieutenant General H. Steven Blum, Chief, National Guard Bureau; Major General Allen Tackett, State Adjutant General of West Virginia; and Major General Raymond Rees, State Adjutant General of Oregon.

34. *“Justice for All: An Examination of the District of Columbia Juvenile Justice System,”* October 28, 2005

a. Summary.—The Committee on Government Reform conducted a hearing on youth crime and efforts to reduce recidivism in the District of Columbia. The hearing focused on D.C.’s juvenile justice system, with emphasis on the Youth Rehabilitation Services and the agency reorganization the city is undertaking to comply with the requirements of the *Jerry M. v. District of Columbia, et al.* case. At the heart of the *Jerry M.* case is the effort not only to ensure the civil rights of the city’s committed youth, but to modernize the District’s approach to juvenile justice. The committee also examined H.R. 316, a bill that would provide for the disposition of land in Laurel, MD that is currently used by the District of Columbia to house the Oak Hill Youth Center, the District’s secure facility for committed and securely detained youth.

b. Witnesses.—Benjamin L. Cardin, Congressman from the State of Maryland; Steny H. Hoyer, Congressman from the State of Maryland; Lee F. Satterfield, presiding judge, District of Columbia Family Court; Eugene Hamilton, senior judge, District of Columbia Superior Court; Charles H. Ramsey, chief of police, Metropolitan Police Department; and Vincent Schiraldi, director, District of Columbia Youth Rehabilitation Services.

35. *“The National Pandemic Influenza Preparedness and Response Plan: Is the United States Ready for Avian Flu?” November 4, 2005*

a. Summary.—This was the committee’s second hearing of the year to evaluate U.S. preparedness levels and the Nation’s ability to respond to the global infectious disease threat of influenza pandemic. The committee learned more about recent actions taken by the Department of Health and Human Services [HHS] to prepare for the possibility of a flu pandemic, including the finalizing of the administration’s pandemic plan, the procurement of additional vaccines and antivirals, and the promise to help develop greater vaccine manufacturing capacity in the United States.

b. Witnesses.—Michael O. Leavitt, Secretary, Department of Health and Human Services, accompanied by Dr. Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health; Dr. Bruce Gellin, Director, National Vaccine Planning Office, Department of Health and Human Services; Dr. Julie Gerberding, Director, Centers for Disease Control and Prevention; and Dr. William Raub, Science Advisor to the Secretary, Department of Health and Human Services.

36. *“Restoring the Public Trust: A Review of the Federal Pension Forfeiture Act,” February 1, 2006*

a. Summary.—The hearing considered legislation intended to restore the public trust in the Federal Government by ensuring that top policymakers in the executive and legislative branches are sufficiently deterred from yielding to outside influences. The “Federal Pension Forfeiture Act” would provide such a deterrent by denying Federal retirement benefits for Federal policymakers convicted of accepting bribes, defrauding the Federal Government, embezzling Federal property, or falsifying Federal documents.

b. Witnesses.—Linda Springer, Director, Office of Personnel Management; Chellie Pingree, president, Common Cause; and Joan Claybrook, president, Public Citizen.

37. *“Sharpening Our Edge—Staying Competitive in the 21st Century Marketplace,” February 9, 2006*

a. Summary.—The hearing studies the challenges America faces in staying competitive in the 21st century global economy.

b. Witnesses.—Secretary of Commerce Carlos M. Gutierrez; Hector de J. Ruiz, president and CEO of Advanced Micro Devices; M. Brian O’shaughnessy, president and CEO of Revere Copper Products; Richard S. Garnick, president, North American Services for Keane, Inc.; Deborah Wince-Smith, president of the Council on Competitiveness; and former Congressman Dave McCurdy, president of the Electronic Industries Alliance.

38. *“Installation of In-Line Baggage Screening Systems: Increasing Safety and Efficiency for Travelers to and from our Nation’s Capital,” February 17, 2006 (Dulles International Airport)*

a. Summary.—In response to the September 11th attacks, Congress mandated that, by December 31, 2002, all checked baggage would be screened using explosive detection systems [EDS]. EDS are most efficient when integrated “in-line” into baggage conveyor belt systems and are believed to speed up baggage and travel processing. To support their mandate, Congress authorized TSA to issue Letters of Intent [LOI] to financially support the acquisition and installation of in-line EDS, however, as at the time of the hearing, only nine LOI had been issued. The purpose of this hearing was to find out the status of acquisition and installation of in-line baggage screening systems at the Nation’s airports, with a particular focus on airports serving the Nation’s Capital. TSA testified that they are prioritizing airports to receive funding and are working with private industry and airports authorities to devise and implement creative financing options. MWAA testified they had offered TSA creative financing options, which TSA had not accepted. BWI airport discussed their experience paying for and installing in-line systems without any financial assistance from TSA and how this has increased efficiency at BWI.

b. Witnesses.—Dr. Randal Null, Assistant Administrator for Operational Process and Technology, Transportation Security Administration; James E. Bennett, president and chief executive officer, Metropolitan Washington Airports Authority; and Timothy L. Campbell, A.A.E., executive director, Maryland Aviation Administration.

39. *“The Regulation of Dietary Supplements: A Review of Consumer Safeguards,” March 9, 2006*

a. Summary.—The committee’s interest in this issue stemmed from its investigation into the use of performance enhancing drugs and steroids in professional sports. An October 2005 Washington Post article about steroids in dietary supplements raised concerns for the committee about FDA regulation of the supplement industry. The purpose of this hearing was to examine the Federal Government’s responsibility and role in regulating dietary supplements, the certification programs available for dietary supplements, and how consumers can educate themselves to make responsible decisions when purchasing and consuming dietary supplements. Witnesses at the hearing agreed that the public needs to be assured of the safety of dietary supplement products and the reliability of their labeling.

b. Witnesses.—Dr. Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration; Dr. Paul M. Coates, Director of Dietary Supplements, National Institutes of Health; C. Lee Peeler, Deputy Director, Bureau of Consumer Protection, Federal Trade Commission; Kathleen Jordan, general manager, Dietary Supplements and Functional Foods Program, NSF International; Dr. V. Srinivasan, vice president, verification program, U.S. Pharmacopeia; Dr. Tod Cooperman, president and founder, Consumerlab.com; and Janell Mayo Duncan, senior counsel, Consumers Union.

40. *"No Computer System Left Behind: A Review of the 2005 Federal Computer Security Scorecards," March 16, 2006*

a. Summary.—Each year, the committee, with technical assistance from the Government Accountability Office, releases scorecards based on the information provided by agency Chief Information Officers and Inspectors General in their Federal Information Security Management Act [FISMA] reports. This year, the committee's analysis reveals that the scores for the Departments of Agriculture, Defense, Homeland Security, Justice, State, and others remained unacceptably low or dropped precipitously. Meanwhile, several agencies improved their information security or maintained a consistently high level of security from previous years, such as the Agency for International Development, Environmental Protection Agency, the General Services Administration, Department of Labor, Office of Management and Budget, and the Social Security Administration. The 2005 FISMA grades indicate that agencies have made significant improvements in developing configuration management plans, employee security training, developing and maintaining an inventory, certifying and accrediting systems, and annual testing. Despite these advances, there are still some areas of concern to the committee, including implementation of configuration management policies, specialized security training for employees with significant security responsibilities, inconsistent incident reporting, inconsistencies in contingency plan testing, annual testing of security controls, and agency responsibility for contractor systems.

b. Witnesses.—Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; Patrick Pizzella, Assistant Secretary for Administration and Management, Department of Labor; Tom Hughes, Chief Information Officer, Social Security Administration; Robert F. Lentz, Director of Information Assurance, Department of Defense; and Scott Charbo, Chief Information Officer, Department of Homeland Security.

41. *"The Need to Know: Information Sharing Lessons for Disaster Response," March 30, 2006*

a. Summary.—This hearing addressed information sharing and situational awareness during the management of an emergency, opened public discussion and debate on barriers to information sharing among agencies, and highlighted best practices, methods, and procedures for sharing information. The committee examined how the lessons learned regarding information sharing in the context of law enforcement, counter-terrorism, and defense can be applied to disaster response. In particular, the hearing focused on the methods, policies, principles and techniques found to be effective in encouraging and enhancing information sharing among diverse entities. The hearing addressed ways to avoid the inadequate information sharing and murky situational awareness that characterized the governmental response to Katrina. The committee learned whether impediments to effective information sharing are primarily technological, or structural, cultural, and bureaucratic in nature.

b. Witnesses.—Peter F. Verga, Principal Deputy Assistant Secretary of Defense (Homeland Defense), U.S. Department of Defense; Dr. Linton Wells II, Principal Deputy Assistant Secretary of Defense (Networks and Information Integration), U.S. Department of Defense; Vance Hitch, Chief Information Officer, U.S. Department of Justice; John Brennan, president and CEO, the Analysis Corp.; Dr. Donald F. Kettl, Director, Fels Institute of Government, University of Pennsylvania; and Dr. Brian A. Jackson, physical scientist, RAND Corp.

42. *“The Impact of Visa Processing Delays on the Arts, Education, and American Innovation,” April 4, 2006*

a. Summary.—While the visa review process is often the Nation’s first line of defense, requirements implemented subsequent to the September 11th attacks have placed strains on the application and review process. The results are substantial delays—in some instances, more than 160 days for interviews—and the consequences are negative for American businesses and cultural organization—to say nothing of the U.S. travel and tourism industry. The committee received testimony from the Department of State and from GAO about these challenges and some possible solutions. The committee also received testimony from associations unable—or, in some cases, simply no longer willing—to bring foreign nationals to the United States for trade fairs and organizational meetings because of the length and unpredictability of visa processing delays. The committee received testimony from internationally acclaimed cellist Yo-Yo Ma regarding his organization’s difficulties in bringing foreign performers who simply want to share their talents with U.S. audiences. Subsequent to this hearing, the committee requested GAO study delays in processing and issuing non-immigrant visas.

b. Witnesses.—Tony Edson, Deputy Assistant Secretary for Consular Affairs, U.S. Department of State; Jess T. Ford, Director, International Affairs and Trade, U.S. Government Accountability Office; Yo-Yo Ma, artistic director, the Silk Road Project, Inc., accompanied by Sandra L. Gibson, president and CEO, Association of Performing Arts Presenters; Dennis J. Slater, president, Association of Equipment Manufacturers; Kevin Schofield, general manager, Strategy and Communications, Microsoft Research; and Elizabeth C. Dickson, advisor, Immigration Services, Ingersoll-Rand Co. and the U.S. Chamber of Commerce.

43. *“Looking a Gift Horse in the Mouth: a Post-Katrina Review of International Disaster Assistance,” April 6, 2006*

a. Summary.—The purpose of the hearing was to examine how prepared the Federal Government was to accept the unprecedented level of aid from foreign governments after Hurricane Katrina and whether the ad-hoc procedures for accepting aid put in place after Katrina were sufficient.

b. Witnesses.—Davi M. D’Agostino, Director, Defense Capabilities and Management, accompanied by McCoy Williams, Director, Financial Management and Assurance, U.S. Government Accountability Office; Deborah McCarthy, Director, Katrina Working Group, U.S. Department of State; Gregory Gottlieb, Acting Direc-

tor, Office of Foreign Disaster Assistance, Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development; Casey Long, Acting Director, Office of International Affairs, Federal Emergency Management Agency, U.S. Department of Homeland Security; Hudson La Force III, Senior Counselor to the Secretary, U.S. Department of Education; and Scott W. Rowell, Deputy Assistant Secretary (Strategy, Plans, and Resources) for Homeland Defense, U.S. Department of Defense.

44. *“Out at Home: Why Most Nats Fans Can’t See Their Team on TV,” April 7, 2006*

a. *Summary.*—The committee held a hearing to examine the dispute between Comcast Corp. and the Mid-Atlantic Sports Network [MASN] that was preventing 75 percent of the Washington Nationals baseball games from being carried by Comcast in the Washington area. As the largest cable provider in the Washington region with 1.3 million subscribers, Comcast’s failure to carry MASN prevented the majority of the Washington cable market from having access to their home baseball team’s games. The committee was specifically interested in understanding why as many as 75 percent of the Nationals regular season games will not be available to customers of Comcast. Officials from the corporate entities involved appeared at the hearing to explain their position in this dispute. The committee also took testimony from local governmental officials in the Washington area, whose constituents were adversely affected by the standoff between Comcast and MASN. Following the hearing, in response to a letter from the chairman, the FCC ruled that MASN and Comcast were to submit to binding arbitration to settle their dispute. Less than 1 month later, on the heels of this decision, Comcast and MASN settled their dispute. MASN is now carried by Comcast, and the majority of the team’s games are available in the Washington market.

b. *Witnesses.*—Bob Dupuy, president and chief operating officer, Major League Baseball; Peter Angelos, chairman and chief executive officer, Baltimore Orioles; David L. Cohen, executive vice president, Comcast Corp.; Gary McCollum, vice president and regional manager, Cox Northern Virginia; Anthony Williams, Mayor, District of Columbia; Peter V.R. Franchot, Delegate, Maryland House of Delegates; Douglas M. Duncan, Montgomery County executive; Jack B. Johnson, Prince George’s County executive; Sean Connaughton, chairman, Prince William County Board of Supervisors; Chris Zimmerman, chairman, Arlington County Board of Supervisors; and Ian Kosky, NationalsPride.com.

45. *“Financial Friendly Fire: A Review of Persistent Military Pay Problems,” April 27, 2006*

a. *Summary.*—The purpose of the hearing was to examine the effectiveness of the Department of Defense’s management of pay processes and procedures that govern Army Guard and Reservists who are injured or wounded in action. Internal control weaknesses in Department processes, human capital, and the lack of integrated systems are causing overpayments to wounded soldiers through no fault of their own. Specifically, the committee focused on errors that have resulted in the referral of injured soldiers to debt collec-

tion agencies and steps the Department of Defense and the Department of the Army are taking to stop this.

b. Witnesses.—Gregory D. Kutz, Director, Financial Management and Assurance, U.S. Government Accountability Office; Lt. Colonel John M. Lovejoy, U.S. Army Reserve, 364th Civil Affairs Brigade, Portland, OR; Specialist Frank Mangum, former Alabama Army National Guard, 279th Signal Battalion, accompanied by his wife, Paulette Mangum; Specialist Brandy Taylor, former U.S. Army Reserves, 296th Transportation Co., Brookhaven, MI; David Patterson, Principal Deputy Under Secretary of Defense, Office of the Comptroller; Nelson Ford, Principal Deputy Assistant Secretary of the Army for Financial Management and Comptroller; Zach E. Gaddy, Director, Defense Finance Accounting Service, U.S. Department of Defense; Mark R. Lewis, Assistant Deputy Chief of Staff, G-1, U.S. Department of the Army; and Colonel Mark McAlister, Finance Officer, 18th Airborne Corps, Fort Bragg, U.S. Army.

46. *“Making the Grade? Examining District of Columbia Public Schools Reform Proposals,” April 28, 2006*

a. Summary.—District of Columbia Public Schools [DCPS] continues to be plagued by management problems, declining enrollment, crumbling facilities, escalating violence, and substandard academic achievement. The past decade’s revitalization of the Nation’s Capital cannot be sustained without a strong and healthy public school system. The Committee on Government Reform is committed to working with the District to improve the state of affairs at DCPS. Therefore, we conducted an oversight hearing to examine strategies to improve DCPS and how these plans have been implemented and how they are proceeding. The hearing highlighted developments that create an atmosphere for positive change and reform within DCPS and how students, teachers, administrators, parents, and elected officials can support the plan. In addition, the committee reviewed the U.S. Department of Education’s recent designation of DCPS as a “high-risk” grantee. On April 21, 2006, the Department notified DCPS that the Department is concerned about DCPS’s ability to use Federal funds to support teaching and learning in District of Columbia schools. The committee examined the Department’s actions by exploring the determination process and implications of this designation.

b. Witnesses.—Henry L. Johnson, Assistant Secretary of Education for Elementary and Secondary Education, U.S. Department of Education, accompanied by Hudson La Force III, Senior Counselor to the Secretary, U.S. Department of Education; Dr. Clifford B. Janey, superintendent, District of Columbia Public Schools; John Musso, chief financial officer, District of Columbia Public Schools; Charles J. Willoughby, inspector general, District of Columbia, accompanied by William J. DiVello, assistant inspector general for audits, Office of the Inspector General, District of Columbia; and Cedric Jennings, District of Columbia Public School graduate.

47. *"Sifting Through Katrina's Legal Debris: Contracting in the Eye of the Storm," May 4, 2006*

a. Summary.—This hearing examined the Federal Government's contracting policies, practices, preparations, and response to determine whether the proper procedures, vehicles, and mechanisms are in place to meet the challenges of catastrophic events. The hearing focused on an evaluation of: 1) the contracts in place prior to Katrina's landfall and planning efforts that took place in anticipation of a large-scale catastrophic event; 2) the rationale and process for awarding disaster relief and recovery contracts in the immediate aftermath of Katrina; 3) the internal controls in place to ensure that Federal acquisition laws were followed and that effective contracting practices were and are used; 4) the terms and performance of Katrina relief contracts; and 5) ways in which the management and oversight of disaster-related contracting could be strengthened in response to lessons learned after Katrina.

b. Witnesses.—William Woods, Director, Acquisition and Sourcing Management, Government Accountability Office; Matthew Jadacki, Special Inspector General for Gulf Coast Hurricane Recovery, Office of the Inspector General, Department of Homeland Security; Emily Murphy, Chief Acquisition Officer, General Services Administration; Maj. Gen. Don T. Riley, Director of Civil Works, U.S. Army Corps of Engineers; Elaine Duke, Chief Procurement Officer, U.S. Department of Homeland Security; Deidre Lee, Deputy Director of Operations, Federal Emergency Management Agency; Randall R. Perkins, CEO, AshBritt, Inc.; George Schnug, CEO, AmeriCold Logistics, LLC; Neal Fox, Member, Board of Advisors, FedBid, Inc.; and James Necaise, vice president, Necaise Brothers Construction.

48. *"Working Through an Outbreak: Pandemic Flu Planning and Continuity of Operations," May 11, 2006*

a. Summary.—The purpose of this hearing was to assess our public health system's response capabilities at the Federal, State, and local levels, and to determine what additional measures are needed in order to improve preparations and reduce risks posed by an avian flu outbreak. The past few annual influenza seasons, as well as avian flu activity in Asia, continued to raise the urgent question of whether the United States is prepared to deal with the threat of a flu pandemic and whether the country is capable of working through a pandemic.

The committee learned more about actions taken by the Department of Health and Human Services and Department of Homeland Security to prepare for the possibility of a flu pandemic, including the finalizing of the administration's multi-agency proposal to ensure coordination among all Federal agency activities. Additionally, the committee sought information on the government's progress in developing Continuity of Operations plans, including telework, or distributed work programs, to be used during a pandemic.

b. Witnesses.—John O. Agwunobi, M.D., Assistant Secretary for Health, Department of Health and Human Services; Linda Springer, Director, Office of Personnel Management; David M. Walker, Comptroller General, Government Accountability Office; Dr. Jeffery W. Runge, Chief Medical Officer, Department of Homeland Security.

rity; Dr. Alonzo Plough, Board of Directors, Trust for America's Health; Scott Kriens, chairman and CEO, Juniper Networks; and Paul B. Kurz, executive director, Cyber Security Industry Alliance.

49. *"Low Clearance: Why Did DOD Suddenly Stop Processing Private Sector Security Clearances?" May 17, 2006*

a. Summary.—On April 28, 2006, the committee learned that the Department of Defense element responsible for security clearance processing, the Defense Security Service [DSS], planned to impose a moratorium on submission of applications from contractors. The stoppage would prevent both submission of new applications and requests for required periodic reinvestigation of those cleared to access classified material in the course of their work on Defense contracts. This abrupt disruption in a critical national security process was not the first problem the committee uncovered at DSS. Previous inquiries, GAO reports and hearings examined a growing backlog of clearance cases, uneven adherence to investigative standards and a chronic inability to forecast the demand for investigations. Many of those issues were thought to have been addressed in 2005 when DSS transferred key investigative functions to the Office of Personnel Management which conducts background checks for many other Federal agencies. Testimony at this hearing described high-level management attention to DSS problems at both DOD and OPM. In particular, new leadership was installed at DSS, process improvements were implemented and budget resources identified within DOD to allow DSS to lift the moratorium on contractor clearance investigations. The moratorium ended in July.

b. Witnesses.—Clay Johnson, Acting Director, U.S. Office of Management and Budget; Robert Rogalski, Special Assistant, Office of the Under Secretary (Intelligence) U.S. Department of Defense; Kathy Killaman, Associate Director, Federal Investigative Services Division, U.S. Office of Personnel Management; Thomas Gimble, Acting Inspector General, U.S. Department of Defense; Doug Waggoner, chairman, Intelligence Subcommittee, Information Technology Association of America (on behalf of the Security Clearance Coalition); William L. Gunst, vice president for business operations, Anteon International Corp.; and Nicholas Karangelen, president, Trident Systems, Inc.

50. *"Getting Ready for the 2006 Hurricane Season," May 24, 2006*

a. Summary.—The purpose of the hearing was to assess steps taken by the executive branch agencies responsible for disaster recovery in response to the findings and recommendations by the House Select Committee on Katrina, the Senate Homeland Security Committee, the White House, GAO, Inspectors General, and others to make sure we will be as prepared as possible when disaster strikes. The Select Committee on Katrina found preparedness gaps and deficiencies at the Federal, State and local levels of government and cited inadequate preparedness as the cause of inexcusable weaknesses and failures in the disaster response.

b. Witnesses.—George W. Foresman, Under Secretary for Preparedness, U.S. Department of Homeland Security; Robert Shea, Acting Director of Operations, Federal Emergency Management

Agency, U.S. Department of Homeland Security; MG Terry Scherling, Director, Joint Staff, National Guard Bureau; RADM W.C. Vanderwagen, M.D., Special Assistant to the Secretary, U.S. Department of Health and Human Services; Robert R. Latham, chairman, Legislative Committee, National Emergency Management Association and director, Emergency Management Agency, State of Mississippi; Walter S. Dickerson, Director, Emergency Management Agency/Homeland Security, Mobile County, AL; Joe Becker, senior vice president, preparedness and response, American Red Cross; Maura W. Donahue, chairman, U.S. Chamber of Commerce; and Patricia McGinnis, president and CEO, the Council for Excellence in Government.

51. *“Once More Into the Data Breach: The Security of Personal Information at Federal Agencies,” June 8, 2006*

a. Summary.—This hearing examined the privacy and data security policies of Federal agencies. The committee reviewed agency data security policies and procedures with respect to personal information, and reviewed recent data security breaches and incidents. In this context, the committee examined the adequacy of existing laws, regulations, and policies regarding privacy, information security, and data breach notification. In particular, the committee reviewed whether Federal agency data breach notification laws and policies are adequate and what, if any, revisions should be made to Federal information security laws, including the Federal Information Management Security Act. Finally, the committee heard lessons learned and suggestions for improving response efforts in the event of future information security breaches.

b. Witnesses.—Clay Johnson, Acting Director, Office of Management and Budget; Linda D. Koontz, Director, Information Management Issues, Government Accountability Office; R. James Nicholson, Secretary, Department of Veterans Affairs; William E. Gray, Deputy Commissioner for Systems, Social Security Administration; and Daniel Galik, Chief Mission Assurance and Security Services, Internal Revenue Service, Department of Treasury.

52. *“Regional Insecurity: DHS Grants to the National Capital Area,” June 15, 2006*

a. Summary.—The purpose of the hearing was to bring greater transparency to the homeland security grants administered by the Department of Homeland Security.

b. Witnesses.—George W. Foresman, Under Secretary for Preparedness, U.S. Department of Homeland Security; Edward D. Reiskin, deputy mayor for public safety and justice, District of Columbia; Robert P. Crouch, Jr., assistant to the Governor for commonwealth preparedness, Commonwealth of Virginia; Dennis R. Schrader, director of the Governor’s Office of Homeland Security, State of Maryland; and David J. Robertson, executive director, Metropolitan Washington Council of Governments.

53. *“Disabled Services in the District of Columbia: Who Is Protecting the Rights of D.C.’s Most Vulnerable Residents?” June 16, 2006*

a. Summary.—The committee conducted a hearing on the status of the District of Columbia’s Mental Retardation and Developmental Disabilities Administration [MRDDA], which is the subject of a 30-year lawsuit, *Evans v. Williams*. Decades after the court entered its first remedial order, problems remain concerning health care delivery services to class members and the failure to implement a meaningful quality assurance system. The committee held a hearing to learn about the status of reforms at MRDDA and throughout the D.C. government and the city’s efforts to meet the criteria established in the 2001 Compliance Plan. The hearing examined MRDDA’s management, operations, policies, procedures, and the challenges the District must tackle to end the court case.

b. Witnesses.—Robert C. Bobb, Deputy Mayor/city administrator, government of District of Columbia; Brenda Donald Walker, Deputy Mayor of Children, Youth, Families, and Elders, Government of District of Columbia; Marsha Thompson, former Director, Mental Retardation Development and Disabilities Administration; Robert M. Gettings, executive director, National Association of State Directors of Developmental Disabilities Services; and Holly Morrison, vice president for organizational learning, the Council on Quality and Leadership.

54. *“Northern Lights and Procurement Plights: The Effect of the ANC Program on Federal Procurement and Alaska Native Corporations,” June 21, 2006*

a. Summary.—This joint-hearing with the Small Business Committee examined the award of contracts by Federal agencies to Alaska Native Corporations [ANC] participating in the Small Business Administration’s [SBA] 8(a) program, as highlighted in a GAO report requested by the two committees. Through the hearing, the committees explored the impact of the special exemption to the standard of full and open competition granted ANCs on our competitive acquisition system, whether the program is being properly managed by SBA, and whether the Alaska Native people are receiving the appropriate benefits from the acquisition advantages they have been given.

b. Witnesses.—Don Young, chairman, Committee on Transportation and Infrastructure; David Cooper, Director, Acquisition and Sourcing Management, Government Accountability Office; Calvin Jenkins, Deputy Associate Deputy Administrator, Office of Government Contracting and Business Development, U.S. Small Business Administration; Frank Ramos, Department of Defense; Melodee Stith, Associate Director, Acquisition and Financial Assistance, Office of Acquisition and Property Management, U.S. Department of Interior; Harry Alford, president and CEO, National Black Chamber of Commerce; Ann Sullivan, president, Madison Services Group, Inc. on behalf of Women Impacting Public Policy; Chris E. McNeil, Jr., chairman, Native American Contractors Association and president and CEO Sealaska Corp.; Helvi Sandvik, president, NANA Development Corp.; Bart Garber, Tyonek Services Group;

Julie Kitka, president, Alaska Federation of Natives; and Charles Totemoff, president and CEO, Chenega Corp.

55. *“What Price Free Speech: Whistleblowers and the Ceballos Decision,”* June 29, 2006

a. Summary.—The purpose of the hearing was to discuss the Supreme Court’s recent decision regarding whistleblowers in the case of *Garcetti v. Ceballos*.

b. Witnesses.—Stephen M. Kohn, Chair, National Whistleblower Center; Roger Pilon, Ph.D., J.D., vice president of legal affairs, B. Kenneth Simon Chair in Constitutional Studies, director, Center for Constitutional Studies, Cato Institute; Richard Ceballos, Deputy District Attorney, County of Los Angeles, CA; William L. Bransford, general counsel, Senior Executives Association; Mimi Dash, council president (retired), Fairfax Education Association; Lisa E. Soronen, staff attorney, National School Boards Association; Barbara Atkin, deputy general counsel, National Treasury Employees Union; Richard J. Bergstrom, partner, Morrison and Foerster, LLP; and Joe Goldberg, assistant general counsel for litigation, American Federation of Government Employees.

56. *“Can You Clear Me Now? Weighing ‘Foreign Influence’ Factors in Security Clearance Investigations,”* July 13, 2006

a. Summary.—The current personnel security clearance process has come under increasing criticism since the attacks of September 11, 2001 created an ever-greater demand for security clearances and other types of background investigation. Investigative work by the Government Accountability Office in May 2004 revealed a backlog of investigations of private sector clearance applicants of almost 190,000 and that the total time for these applicants to receive their clearance had ballooned to 375 days. To modernize the clearance process, provisions of the Intelligence Reform and Terrorism Prevention Act of 2004 and applicable Executive orders directed consolidation of responsibility for security clearances processes and policies. In this hearing, the committee sought to evaluate implementation of updated criteria to be used in determining the security implications of foreign influences and contacts by clearance applicants. In particular, it appeared the Department of Defense had not fully implemented new guidance from the National Security Advisor regarding foreign influence factors. Variable implementation of investigative and adjudicative standards raises security concerns and impeded effort to affect inter-agency reciprocity regarding clearance decisions. Testimony by Department of Defense witnesses indicated the guidance was being implemented but that the process to standardize security criteria across Defense agencies and the military services was slow and had met some resistance.

b. Witnesses.—Robert Andrews, Deputy Under Secretary for Counterintelligence and Security, U.S. Department of Defense, accompanied by Robert Rogalski, Special Assistant to the Under Secretary for Intelligence, U.S. Department of Defense; J. William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; Mark S. Zaid, esq.; Doug Wagoner, chairman, Intelligence Subcommittee, Information Technology Association of America (on behalf of the Security Clearance

Coalition); and Walter S. Nagurny, Director, Industrial Security Office, EDS U.S. Government Solutions.

57. *“MS-13 and Counting: Gang Activity in Northern Virginia,” July 14, 2006 (Fairfax, VA)*

a. Summary.—The Washington, DC region has seen a dramatic increase in gang incidents during the past decade, many of which have been attributed to the Central American gang, MS-13. The purpose of this hearing was to examine the relationship between law enforcement and public and private organizations in combating transnational street gangs with a particular focus on northern Virginia. The committee heard from the federally-funded Northern Virginia Regional Gang Task Force, which brings to the table Federal, State, and local law enforcement as well as the prevention and intervention communities about their successes and challenges. Many called this Task Force a model for the Nation. The committee also heard from Federal law enforcement about how the Task Force facilitates the transmission of intelligence. The committee heard from elected officials that, behind California, Virginia laws the toughest in the Nation for fighting gang violence. Recognizing the regional problem of gangs due to their transience, the committee also received testimony from Montgomery and Prince George’s County, MD representatives regarding their enforcement and prevention programs. Subsequent to this hearing, the gang prevention coordinators from Maryland and Virginia met and also conducted reciprocal site visits, and many credit this hearing with strengthening their relationship and collaboration.

b. Witnesses.—David Albo, Delegate for the 42nd District, State Legislature of the Commonwealth of Virginia; Robert A. Birmingham, Jr., coordinator, Fairfax County Gang Prevention Program; Luis Cardona, Youth Violence Prevention Coordinator, Department of Health and Human Services, Montgomery County; Gerry Connolly, chairman, Fairfax County Board of Supervisors; Marla Decker, deputy attorney general for public safety, Virginia Office of the Attorney General; Elizabeth Guzman, assistant area executive director, Boys and Girls Clubs, Prince William Region; Captain Milburne Lynn, commander, Violent Crimes Task Force/Gang Unit, Prince George’s County Police Department; Diego G. Rodriguez, Assistant Special Agent in Charge, Criminal Division, Washington Field Office, Federal Bureau of Investigations; James Spero, Acting Assistant Special Agent in Charge, Special Agent in Charge Office, Washington, DC, U.S. Immigrations and Customs Enforcement; and Chief Toussaint Summers, Jr., Chair, Northern Virginia Regional Gang Task Force, city of Herndon Police Department.

58. *“Climate Change: Understanding the Degree of the Problem,” July 20, 2006*

a. Summary.—Currently, there is a growing concern that anthropogenic—or human—activities are affecting the heat and energy-exchange balance between Earth, the atmosphere, and space. Specifically, some scientists assert that human activities—most specifically the burning of fossil fuels—have contributed to increased levels of carbon dioxide—CO₂—and other “greenhouse” gases in the

atmosphere. This “greenhouse effect” is thought to be the root cause of a change in the Earth’s climate inducing “global warming,” which, in turn, is inducing an overall “global climate change.” Chairman Davis convened this hearing to introduce Members of Congress to the climate change issue, including the current state of climate science in the United States, the administration’s policies, and to explore the policy approaches available to policymakers.

b. Witnesses.—Dr. John R. Christy, professor and director of the Earth System Science Center, University of Alabama in Huntsville; Jim Connaughton, chairman, Council on Environmental Quality; Dr. Judith Curry, Chair of the School of Earth and Atmospheric Sciences, Georgia Institute of Technology; Marshall Herskovitz, producer/director/writer, Television and Film; Dr. Thomas Karl, Director, National Climatic Data Center, National Oceanic and Atmospheric Administration; Dr. Roger A. Pielke, Jr., Center for Science and Technology Policy Research, University of Colorado at Boulder; Theodore Roosevelt IV, chairman, Strategies for the Global Environment/Pew Center on Global Climate Change; Andy Rubens, vice president of corporate strategy and sustainability, Wal-Mart Stores, Inc.

59. *“Policing Capital Sites: Improving Coordination, Training and Equipment,” July 21, 2006*

a. Summary.—The committee conducted the hearing to assess the levels of preparedness and coordination of Federal police units serving in the Nation’s Capital. Members were interested in learning about the standards and efforts to secure and protect Federal sites. The committee heard from representatives from several Federal agencies about the current readiness, interoperability, adequacy of equipment and training, and the level of coordination in their core law enforcement missions.

b. Witnesses.—Rear Admiral Terence McKnight, Commandant, Naval District Washington; Major General Guy C. Swan III, U.S. Army, Military District of Washington; Joseph W. Trindal, Regional Director, National Capital Region, Federal Protective Service; and Michael D. Fogarty, assistant chief of police, U.S. Park Police.

60. *“Code Yellow: Is the DHS Acquisition Bureaucracy a Formula for Disaster?” July 27, 2006*

a. Summary.—This oversight hearing focused on the sorely challenged acquisition function of the Department of Homeland Security [DHS]. Problems with DHS acquisitions have, over the last few years, been the subject of numerous reports by the Government Accountability Office [GAO], various Inspector General [IG] offices, as well as countless press reports. These reports all seem to tell different versions of the same sad story; failed programs, huge cost overruns, and little or no effective contract management. The hearing targeted several troubled acquisitions as a guide to explore the reasons behind the failures.

b. Witnesses.—Mike Sullivan, Director, Acquisition Sourcing and Management, Government Accountability Office; Elaine Duke, Chief Procurement Officer, Department of Homeland Security ac-

accompanied by John Ely, Chief Procurement Officer, Customs and Border Protection and Richard Gunderson, Acting Assistant Administrator for the Office of Acquisition, Transportation Security Administration; David M. Zavada, CPA, Assistant Inspector General, Office of Audits, Department of Homeland Security; and Clark Kent Ervin, director, Homeland Security Initiative, the Aspen Institute.

61. *“Porous Borders and Downstream Costs: The Impact of Illegal Immigration on State, County, and Local Governments,” August 14, 2006 (San Diego, CA)*

a. *Summary.*—The purpose of the hearing was to focus on the efficacy and efficiency of enforcement efforts at the “interior border” where immigrants apply for official documents, employment, or public benefits. Hearing testimony from county and Federal law enforcement officials, the committee was informed of the unique law enforcement-related issues border regions confront. The committee heard testimony from San Diego-area health care professionals. The specific impact on communities of illegal immigration can be harshly felt at local hospitals. In the San Diego area, four hospitals have closed in recent years, in part due to the unsustainable burden of uncompensated care to the uninsured, a substantial portion of whom are undocumented aliens. The committee continued the important nationwide dialog about immigration reform. Decades-long neglect of the sovereign responsibility to adequately police national boundaries and enforce national laws has transferred immense burdens downstream to local taxpayers. Any serious immigration reform must take account of those intergovernmental impacts and protect States and localities from fiscal shockwaves. From that perspective, effective external and internal enforcement programs are essential prerequisites to broader immigration reforms.

b. *Witnesses.*—Miguel Unzueta, U.S. Immigration and Customs Enforcement, Special Agent In Charge, San Diego; William B. Kolender, sheriff, San Diego County; Bill Horn, chairman, San Diego Board of Supervisors; Steven A. Escoboza, president and CEO, Hospital Association of San Diego and Imperial County; State Senator Denise Moreno Ducheny, 40th District, San Diego, CA; Bronwen Anders, MD, professor of pediatrics, University of California at San Diego, former president of San Diego Chapter of American Academy of Pediatrics.

62. *“BRAC in Northern Virginia: Base Realignment and Calamity? Review of BRAC’s Impact on Traffic Congestion and Quality of Life in Our Region,” August 31, 2006 (Springfield, VA)*

a. *Summary.*—The purpose of the hearing was to examine the Army’s plans for implementation of the recommendations of the BRAC Commission and how they will affect northern Virginia, the Metropolitan, DC area, and the Army’s ability to accomplish its mission.

b. *Witnesses.*—Timothy M. Kaine, Governor, Commonwealth of Virginia; Keith Eastin, Assistant Secretary of the Army for Installations and Management; Jeff Shane, Undersecretary of Transportation for Policy, U.S. Department of Transportation; David M.

Albo, 42nd District, Virginia House of Delegates; Gerald Hyland, member, Fairfax County Board of Supervisors; Dana Kaufman, member, Fairfax County Board of Supervisors; Dean Tistdat, COO and assistant superintendent for facilities and transportation, Fairfax County Public Schools; Kevin Kirk, president, West Springfield Civic Association; and Vivian Watts, 39th District, Virginia House of Delegates.

63. *"MS-13 and Counting: Gang Activity in Montgomery and Prince George's Counties," September 6, 2006 (Takoma Park, MD)*

a. Summary.—The Washington, DC region has seen a dramatic increase in gang incidents during the past decade, many of which have been attributed to the Central American gang, MS-13. As with a similar hearing in northern Virginia, the purpose of this hearing was to examine the relationship between law enforcement and public and private organizations in combating transnational street gangs in suburban Maryland. The committee heard from elected officials and representatives from government agencies regarding intervention programs in schools and in the community. The committee also heard from the warden of the Montgomery County jail about their unique and successful youthful offender program. The committee also heard from a former gang member about his experience in getting out of the gang and the type of critical support that helped him make his successful transition.

b. Witnesses.—Jack B. Johnson, county executive, Prince George's County, MD; George Leventhal, Chair, Montgomery County Council; John King, assistant chief, Montgomery County Police Department; Captain Milburne Lynn, commander, Violent Crimes Task Force/Gang Unit, Prince George's County Police Department; Carolyn Colvin, director of Department of Health and Human Services, Montgomery County, MD; Warden Robert L. Green, warden of Montgomery County Correctional Facility, Montgomery County, MD; Mike Butler, gang prevention coordinator, Prince George's County, MD; Luis Cardona, youth violence prevention coordinator, Montgomery County, MD; Daniel Arretche, director of development, Crossroads Youth Opportunity Center; and Richard Brown, small business owner.

64. *"Climate Change Technology: Do We Need a 'Manhattan Project' for the Environment?" September 21, 2006*

a. Summary.—The Federal Government spends \$3 billion per annum on climate change technology research spanning over 13 agencies. To date, research on climate technology in the United States has been focused on near and mid-term technologies discounting "innovative" or long-term solutions to the global climate change problem. Chairman Davis convened this hearing to examine the need for exploratory climate technology research as well as discuss the potential for establishing an advanced research projects agency in order to facilitate such initiatives.

b. Witnesses.—Stephen D. Eule, Director, Climate Change Technology Program; John B. Stephenson, Director, Government Accountability Office; Lee Lane, executive director, Climate Policy Center; Dr. Richard Van Atta, senior research analyst, Institute for Defense Analyses; Dr. Martin Hoffert, emeritus professor, New

York University; Dr. Robert Socolow, former director, Center for Energy and Environmental Studies, Princeton University; and Dr. Daniel Kammen, director, Renewable and Appropriate Energy Laboratory, University of California at Berkeley.

65. *“CSI Washington: Does the District Need Its Own Crime Lab?”*
September 22, 2006

a. *Summary.*—The purpose of the hearing was to consider the creation of a full-service forensics lab in the District of Columbia.

b. *Witnesses.*—Ken Wainstein, U.S. attorney, District of Columbia; Joseph A. DiZinno, Director, FBI Investigation Laboratory; Edward D. Reiskin, D.C. Deputy Mayor for Public Safety and Justice; Charles H. Ramsey, chief of police, Metropolitan Police Department; and Valencia Mohammed.

66. *“Medical Device Safety: How FDA Regulates the Reprocessing of Supposedly Single-Use Devices,”* September 26, 2006

a. *Summary.*—The purpose of this hearing was to assess FDA’s regulation of the medical device reprocessing industry and to determine what, if any, additional measures are needed to ensure reprocessed single-use devices [SUDs] are safe and efficacious. The witness for the original device manufacturers said they cannot guarantee the safety of their SUD once it is reprocessed and reused. Witnesses for the reproducers, however argued insufficient credible data and evidence exist to demonstrate the use of reprocessed medical devices is riskier than the use of new ones. Despite concerns from other witnesses, FDA testified that reprocessed SUDs are substantially equivalent to the original device.

Additionally, concerned about the lack of independent information available about the safety of reprocessing of SUDs, the committee asked the Government Accountability Office [GAO] to update its June 2000 report on SUDs. GAO’s 2000 report found little harm from reuse but FDA oversight was warranted. Because FDA regulation of the industry has increased significantly since 2000, the committee asked GAO to examine the safety of SUDs reprocessing, the adequacy of FDA’s oversight of reprocessing, and how reprocessed SUDs compared to original devices.

b. *Witnesses.*—Dr. Daniel G. Schultz, Director, Center for Devices and Radiological Health, Food and Drug Administration; Don Selvey, senior vice president, regulatory affairs and quality assurance, Ascent Healthcare Solutions, Inc.; Dennis Toussaint, director, regulatory affairs, SterilMed, Inc.; and Stephen J. Ubl, president and CEO, Advanced Medical Technology Association.

67. *“Acquisition Under Duress: Reconstruction Contracting in Iraq,”*
September 28, 2006

a. *Summary.*—This oversight hearing examined the reconstruction contracting efforts in Iraq. The committee has engaged in continuous and vigorous oversight of contract activities in Iraq over the past 3 years. The oversight involved four hearings on the challenges of contracting in a war zone, numerous briefings from the agencies involved in the contracting efforts, as well as the review of thousands of documents the committee has requested from relevant agencies over the last couple of years. Those efforts were, for

the most part, oriented toward contractor logistics support for the war efforts. The committee's focus in this hearing was on the contracting activities related to the reconstruction program in Iraq.

b. Witnesses.—Katherine Schinasi, Managing Director, Acquisition and Sourcing Management, U.S. Government Accountability Office; Stuart W. Bowen, Jr., Inspector General, Special Inspector General for Iraq Reconstruction; Ambassador David Satterfield, Senior Advisor to the Secretary for Iraq, U.S. Department of State; James Bever, Deputy Assistant Administrator for Iraq, Bureau for Asia and the Near East, U.S. Agency for International Development; Tina Ballard, Deputy Assistant Secretary for Policy and Procurement, U.S. Army; Joseph Tyler, Chief, Programs Integration Division, Military Programs Directorate, U.S. Army Corps of Engineers; Ernest O. Robbins II, senior vice president and manager, International Division, Parsons Infrastructure and Technology Group; and Cliff Mumm, president, Bechtel Infrastructure Corp.

68. *“Ova-Pollution in the Potomac: Egg-Bearing Male Bass and Implications for Human and Ecological Health,” October 4, 2006*

a. Summary.—Male smallmouth bass in the Potomac River—the drinking water source for many West Virginia, Virginia, Pennsylvania, Washington, DC, and Maryland communities—were recently reported to be bearing eggs. The cause of this “intersex” phenomenon is thought to be endocrine disrupting chemicals in the Potomac River. Although in 1996, Congress mandated that EPA study endocrine disruptors, to date, testing has not begun. The committee convened this hearing to review the status of the EPA program and other federally-funded research and also to determine what steps government at all levels is taking to ensure effective protection of human and ecological health in the Potomac River and the Chesapeake Bay. EPA reported that perceived delays in the program were due in large part to the complexity of this completely new field of science, and EPA promised it would try to accelerate this program. Representatives from local water utilities reported they continue to meet and, in many instances, exceed EPA standards for drinking water. Finally, NRDC stressed the seriousness of these endocrine disrupting chemicals.

b. Witnesses.—Benjamin Grumbles, Assistant Administrator for the Office of Water, Environmental Protection Agency; Mark Myers, Director, U.S. Geological Survey; Dr. Sue Haseltine, Associate Director of Biology, U.S. Geological Survey; Dr. Gregory Masson, Chief, Branch of Environmental Contaminants, U.S. Fish and Wildlife Service; Andrew D. Brunhart, general manager, Washington Suburban Sanitary Commission; Joseph Hoffman, executive director, Interstate Commission on the Potomac River Basin; Thomas Jacobus, general manager, Washington Aqueduct; Ed Merrifield, director, Potomac Riverkeepers; Charles Murray, general manager, Fairfax Water; and Erik Olson, attorney, Natural Resources Defense Council.

II. SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY, AND HUMAN RESOURCES

1. *"Fiscal Year 2006 Drug Budget," February 10, 2005*

a. Summary.—The hearing was the first in a series of hearings providing oversight of the President's budget proposals for drug control programs, as well as for legislation to reauthorize the Office of National Drug Control Policy. This hearing also served as an opportunity for Members to discuss the policies outlined in the National Drug Control Strategy for 2005 with Director John Walters.

The current statutory authorization for ONDCP, enacted in 1998, expired on September 30, 2003. In addition, statutory authorization for the National Youth Anti-Drug Media Campaign expired at the end of fiscal year 2002. As a branch of the Executive Office of the President, ONDCP—together with its programs—falls within the authorizing jurisdiction of this committee. This hearing launched the process of evaluating ONDCP and its programs for reauthorization this year.

b. Witnesses.—John Walters, Director, Office of National Drug Control Policy, Executive Office of the President; and Peter Reuter, Ph.D., professor, School of Public Policy, University of Maryland.

2. *"Harm Reduction or Harm Maintenance: Is There Such a Thing as Safe Drug Abuse?" February 16, 2005*

a. Summary.—It is the goal of the Bush administration, as illustrated in the National Drug Control Strategy that we should all work for "Healing America's Drug Users." "Harm reduction," however, does not have the goal of getting people off of drugs. "Harm reduction" is an ideological position that assumes certain individuals are incapable of making healthy decisions. Advocates of this position hold that dangerous behaviors, such as drug abuse, therefore must simply be accepted by society and those who choose such lifestyles—or become trapped in them—should be enabled to continue these behaviors in a manner less "harmful" to themselves and others. Often, however, these lifestyles are the result of addiction, mental illness, or other conditions that should and can be treated rather than accepted as normal, healthy behaviors.

The purpose of this hearing was to examine the overall impact of "harm reduction" programs such as needle exchange, "safe" injection sites and heroin maintenance. This hearing also answered the question: "Do these approaches reduce the risks associated with drug abuse or enable and condone addiction?"

b. Witnesses.—Zainuddin Bahari, CEO, Humane Treatment Home, Malaysia; Tay Bian How, director, Drug Advisory Programme, the Colombo Plan Secretariat, Sri Lanka; Fadilan Kayong, Colombo Plan, Afghanistan; Chris Beyrer, MD, MPH, Johns Hopkins Bloomberg School of Public Health; Yunus Pathi, Pengasih Treatment Program, Malaysia; Robert G. Newman, MD, director, International Center for Advancement of Addiction Treatment, Continuum Health Partners, Inc.; Dr. H. Syahrizal Syarif, MPH, PhD, Colombo Plan, Indonesia; Robert Peterson, PRIDE International Youth Organization; Reverend Edwin Sanders, Metropolitan Interdenominational Church, member, President's Advisory Commission on HIV/AIDS; Peter L. Beilenson, M.D., commis-

sioner, Baltimore City Department of Health; Peter Bensinger, president and CEO, Bensinger, Dupont and Associates; Eric A. Voth, M.D., FACP, chairman, the Institute on Global Drug Policy; and Dr. Andrea Barthwell, Former Deputy Director, Office of National Drug Control Policy.

3. *“Fiscal Year 2006 Drug Control Budget and the Byrne Grant, HIDTA and Other Law Enforcement Programs: Are We Jeopardizing Federal, State and Local Cooperation?” March 10, 2005*

a. Summary.—This hearing examined the President’s budget proposals for Federal, State, and local drug enforcement cooperation programs, including the High Intensity Drug Trafficking Areas [HIDTA] program, and the Edward Byrne Memorial Justice Assistance Grants (“Byrne Grants”). The hearing was the second in a series of hearings providing oversight of the President’s budget proposals for drug control programs, as well as for legislation to reauthorize the Office of National Drug Control Policy [ONDCP] and the HIDTA program.

One of the most significant policies reflected in that budget is a sweeping proposal to scale back most Federal support for State and local drug enforcement. Among other things, the administration is proposing to eliminate the Byrne Grants to the States; to cut the HIDTA program by more than 50 percent and transfer its remaining funds to the Justice Department’s Organized Crime Drug Enforcement Task Force [OCDETF] program; to cut the “Meth Hot Spots” program administered by the Justice Department’s Community Oriented Policing Services [COPS] office by more than 60 percent; and to significantly reduce the funding for the Counterdrug Technology Assessment Center [CTAC] Technology Transfer program. The subcommittee shares the administration’s concerns about excessive Federal subsidization of State and local law enforcement. The administration’s proposed cuts, however, would create massive shortfalls in the budgets of State and local law enforcement agencies across the country. The administration should instead propose reforms, where needed, to some of the Federal Government’s assistance grants.

b. Witnesses.—Tracy A. Henke, Associate Deputy Attorney General, Office of Justice Programs [OJP], U.S. Department of Justice; Catherine M. O’Neil, Associate Deputy Attorney General and Director of Organized Crime Drug Enforcement Task Forces [OCDETF], U.S. Department of Justice; John Horton, Associate Deputy Director for State and Local Affairs, Office of National Drug Control Policy [ONDCP]; Ron Brooks, president, National Narcotics Officer’s Associations Coalition; Tom Carr, director, Washington-Baltimore HIDTA; Tom Donahue, director, Chicago HIDTA; Chief Jack Harris, Phoenix Police Department and Vice-Chair, Southwest Border HIDTA; Leonard Hamm, acting Baltimore police commissioner; Mark Henry, president, Illinois Drug Enforcement Officer’s Association; and Sheriff Jack L. Merritt, Greene County, MO.

4. *"The National Parks: Will They Survive for Future Generations?"*
March 14, 2005 (Gettysburg, PA)

a. Summary.—This hearing examined the National Park Service's mission of maintaining and preserving America's cultural and natural heritage for future generations. This Gettysburg hearing, set in a popular historical park, focused on preserving civil war-related sites, and interpreting these sites in a meaningful way. It also examined the role of outside groups acting as partners with the National Park Service. A component of the hearing was to address the National Park Service's funding of various parks and preservation efforts in an era of tight budgets, as well as how important adequate funding is for the preservation of the National Park Service for future generations.

b. Witnesses.—Robert W. McIntosh, Associate Regional Director for Planning and Partnerships, Northeast Region, National Park Service; Richard Thornburgh, member, the Gettysburg National Battlefield Museum Foundation; David Booz, Friends of the National Parks at Gettysburg; Joy Oakes, director, National Parks Conservation Association; and O. James Lighthizer, Civil War Preservation Trust.

5. *"Federal Health Programs and Those Who Cannot Care for Themselves: What Are Their Rights, and Our Responsibilities?"*
April 19, 2005

6. *"The National Parks: Will They Survive for Future Generations?"*
April 22, 2005

a. Summary.—This hearing was the second in a series of hearings held to examine the state of the National Parks. The series is examining funding issues, preservation and maintenance, and law enforcement and homeland security. This hearing focused on these issues National Park Service-wide, with particular attention paid to funding, management, and homeland security. The homeland security component focused on the protection of the National Capital Area, including the National Mall and other important icons of the Park Service in the Washington, DC area.

b. Witnesses.—Steven Martin, Deputy Director, National Park Service; Gretchen Long, past Chair, Board of Trustees, National Parks Conservation Association; Vin Cipolla, president, National Parks Foundation; Emily E. Wadhams, vice president of public policy, National Trust for Historic Preservation; Denis Galvin, retired Park Ranger, former superintendent of Yellowstone, Yosemite, and Everglades National Parks; and Peyton Knight, American Land Rights Association.

7. *"Drug Prevention Programs and the Fiscal Year 2006 Drug Control Budget: Is the Federal Government Neglecting Illegal Drug Use Prevention?" April 26, 2005*

8. *"How Can the Federal Government Support Local and State Initiatives to Protect Citizens and Communities Against Drug-Related Violence and Witness Intimidation?" May 2, 2005 (Baltimore, MD)*

a. *Summary.*—The purpose of the hearing was to explore strategies to improve protection for witnesses in criminal cases, with an emphasis on criminal drug cases. Witnesses described the scope and severity of witness intimidation problems in Baltimore City and their impact on prosecutions and quality of life in the affected communities. Witnesses also described existing measures and resources devoted to protect witnesses and offered perspectives on how the Federal Government can work most effectively with State and local authorities to prevent obstruction of justice through violence and intimidation directed against individual witnesses and the community at large. The hearing included discussion of Federal legislation, including the Dawson Family Community Protection Act of 2005 (H.R. 812), introduced by Representative Cummings with Chairman Souder as an original cosponsor.

b. *Witnesses.*—Michael S. Steele, Lt. Governor, State of Maryland; Martin O'Malley, mayor, city of Baltimore; Floyd O. Pond, assistant director, Washington-Baltimore HIDTA; Lt. Craig Bowers, Baltimore County Police Department; Patricia Jessamy, State attorney, city of Baltimore; Judge Kenneth Johnson, former associate judge, Baltimore City Circuit Court; David Wright, president, Charles Village Community Benefits District; and Ricky P., resident, West Baltimore.

9. *"2006 DOD Counternarcotics Budget: Does it Deliver the Necessary Support?" May 10, 2005*

a. *Summary.*—This hearing examined the budget proposals for the military's contributions to the national counterdrug efforts. The President's Drug Strategy Budget requests nearly \$900 million to be dispersed through the Counternarcotics Central Transfer Account.

b. *Witnesses.*—Marybeth Long, Deputy Assistant Secretary, Special Operations and Low Intensity Conflict, Department of Defense; Colonel John D. Nelson, Director of Plans, Joint Task Force North, U.S. Northern Command; Captain Edmund Turner, Deputy Director for Current Operations, U.S. Southern Command; Captain Jim Stahlman, Assistant Operations Officer, U.S. Central Command; and Lennard Wolfson, Assistant Deputy Director, Office of Supply Reduction, Office of National Drug Control Policy.

10. *"Threat Convergence Along the Border: How Does Drug Trafficking Impact Our Borders?" June 14, 2005*

a. *Summary.*—This hearing examined how the flow of drugs through our borders has directly and indirectly impacted our ability to secure our borders. In addition to the obvious loss of lives and productivity to narcotic usage, smuggling transportation groups are capable of smuggling not only drugs, but also aliens,

terrorists and weapons. Therefore, if we increase our abilities to interdict narcotics at the border we also increase our effectiveness at stopping the smuggling of aliens, terrorists and weapons.

b. Witnesses.—Ralph Utley, Acting Director Office of Counter-narcotics Enforcement, Department of Homeland Security; Anthony Placido, Assistant Administrator for Intelligence, Drug Enforcement Administration; Gregory Passic, Director, Office of Drug Interdiction, Customs and Border Protection; and John P. Torres, Deputy Assistant Director Office of Investigations, Immigration and Customs Enforcement.

11. *“H.R. 2829, The Office of National Drug Control Policy Reauthorization Act of 2005,” June 15, 2005*

a. Summary.—The bill, H.R. 2829, introduced by Chairman Souder and Chairman Davis, reauthorizes the Office of National Drug Control Policy [ONDCP], as well as most of the programs administered by ONDCP, including the High Intensity Drug Trafficking Areas [HIDTA] program, the Counterdrug Technology Assessment Center [CTAC], and the National Youth Anti-Drug Media Campaign (the “Media Campaign”). This hearing gave representatives of ONDCP and other affected organizations the opportunity to provide their insight into the Office, its programs, and the legislation.

b. Witnesses.—John Walters, Director, Office of National Drug Control Policy; Tom Carr, director, Washington-Baltimore HIDTA, on behalf of the National HIDTA Directors’ Association; and Stephen J. Pasierb, president and CEO, Partnership for a Drug-Free America [PDFA].

12. *“H.R. 1054, Authorizing Presidential Vision: Making Permanent the Efforts of the Faith-Based and Community Initiative,” June 21, 2005*

a. Summary.—The purpose of the hearing was to consider Representative Mark Green’s H.R. 1054, the Tools for Community Initiatives Act, which has been referred to the subcommittee. In addition, the subcommittee reviewed programmatic successes and failures of the President’s Initiative and the Office’s future plans, including State and local cooperation, legal barriers, data collection and other legislative priorities. This legislative hearing also examined H.R. 1064, the Tools for Community Initiatives Act, which would authorize the Federal agencies charged with implementing the Faith-Based and Community Initiative.

b. Witnesses.—Mark Green, Member of Congress (WI); Robert C. Scott, Member of Congress (VA); Stanley Carlson-Thies, director of Social Policy Studies at the Center for Public Justice; David Kuo, former deputy director of the White House Faith-Based and Community Initiative; Bobby Polito, former-Director of the Center for Faith-Based and Community Initiatives, Department of Health and Human Services; Gregg Petersmeyer, vice-chairman, Board of Trustees at America’s Promise; Bob Woodson, president of the National Center for Neighborhood Enterprise; Dennis Griffith, director of Teen Challenge in Southern California; Rabbi David Saperstein, director, Religious Action Center of Reform Judaism; and Reverend C. Welton Gaddy, president, Interfaith Alliance.

13. *"Fighting Meth in America's Heartland: Assessing Federal, State, and Local Efforts," June 27, 2005 (St. Paul, MN)*

a. *Summary.*—This hearing examined the state of methamphetamine trafficking, production and abuse in Minnesota and the Midwest region of the United States, and how the Federal Government can assist State and local authorities in combating this growing problem through law enforcement, environmental clean-up, and drug treatment and prevention programs. This hearing provided an opportunity for representatives of Federal and local agencies with experience in fighting methamphetamine trafficking, as well as organizations that specialize in the environmental aspects of the problem, and the treatment and prevention of meth addiction and abuse, to discuss these issues and suggest solutions.

b. *Witnesses.*—Timothy Ogden, Associate Special Agent in Charge, Chicago Field Division, Drug Enforcement Administration; Julie Rosen, Minnesota State Senator; Sheriff Terese Amazi, Mower County Sheriff's Office; Sheriff Brad Gerhardt, Martin County Sheriff's Office; Lt. Todd Hoffman, Wright County Sheriff's Office; Susan Gaertner, Ramsey County attorney; Bob Bushman, senior special agent, Minnesota Bureau of Criminal Apprehension and president, Minnesota State Association of Narcotics Investigators and president, Minnesota Police and Peace Officers' Association; Dennis D. Miller, drug court coordinator, Hennepin County Department of Community Corrections; Kirsten Lindbloom, social program specialist, Parenting Resource Center, coordinator, Mower County Chemical Health Coalition; and Buzz Anderson, president, Minnesota Retailers Association.

14. *"Interrupting Narco-terrorist Threats on the High Seas: Do We Have Enough Wind in Our Sails?" June 29, 2005*

a. *Summary.*—This hearing examined the effectiveness of the U.S. drug enforcement efforts in the transit zone. In addition to the obvious loss of lives and productivity to narcotic usage, smuggling transportation groups are capable of smuggling not only drugs, but also aliens, terrorists, and weapons. Therefore, if we increase our abilities to interdict narcotics in the transit zone, we also increase our effectiveness at stopping the smuggling of aliens, terrorists and weapons.

b. *Witnesses.*—Ralph Utley, Acting U.S. Interdiction Coordinator; Admiral Dennis Sirois, Assistant Commandant for Operations, U.S. Coast Guard; Admiral Jeffrey J. Hathaway, Director, Joint Inter-agency Task Force South; Charles E. Stallworth II, Acting Assistant Commissioner, Office of Air and Marine Operations, U.S. Customs and Border Protection; and Thomas M. Harrigan, Chief of Enforcement Operations, Drug Enforcement Administration.

15. *"Threat Convergence at the Border: How Can We Improve the Federal Effort to Dismantle Criminal Smuggling Organizations?" July 12, 2005*

a. *Summary.*—This hearing continued the subcommittee's ongoing study of how criminal smuggling organizations have directly and indirectly impacted our ability to secure our borders, and the resource, management, and legal gaps that frustrate our efforts to dismantle these organizations. Smuggling organizations are capa-

ble of transporting not only drugs, but also aliens, terrorists, and weapons.

b. Witness.—Richard M. Stana, Director, Homeland Security and Justice, Government Accountability Office [GAO].

16. *“Fighting Meth in America’s Heartland: Assessing the Impact on Local Law Enforcement and Child Welfare Agencies,” July 26, 2005*

a. Summary.—This hearing continued the subcommittee’s ongoing study of how meth is affecting our Nation. The impact of methamphetamine on local law enforcement agencies and welfare support agencies is severe and growing. The hearing provided an opportunity for representatives of Federal and local agencies with experience in fighting methamphetamine trafficking, as well as organizations that specialize in the child welfare aspects of the problem, to discuss these issues and suggest solutions.

b. Witnesses.—Scott Burns, Deputy Director for State and Local Affairs, Office of National Drug Control Policy; Joseph Rannazzisi, Deputy Chief, Office of Enforcement, Drug Enforcement Administration; Laura Birkmeyer, Assistant U.S. Attorney, San Diego, CA and chairperson, National Alliance for Drug Endangered Children; Nancy K. Young, Ph.D., Director, National Center on Substance Abuse and Child Welfare; and Director, Children and Family Futures; Valerie Brown, National Association of Counties; Freida S. Baker, deputy director, Family and Children’s Services, Alabama Department of Human Resources; Chief Deputy Phil Byers, Rutherford County Sheriff’s Office (NC); Sylvia Deporto, deputy director, Riverside County Children’s Services (CA); Betsy Dunn, investigator, peer supervisor, Tennessee Department of Children’s Services, Child Protective Services Division; Chief Don Owens, Titusville Police Department (PA); and Sheriff Mark Shook, Watauga County Sheriff’s Department (NC).

17. *“Law Enforcement and the Fight Against Methamphetamine: Improving Federal, State, and Local Efforts,” August 23, 2005 (Wilmington, OH)*

a. Summary.—This hearing examined the state of methamphetamine trafficking, production and abuse in southwestern Ohio and the Midwest region of the United States, and how the Federal Government can assist State and local authorities in combating this growing problem. This hearing provided an opportunity for representatives of Federal and local agencies with experience in fighting methamphetamine trafficking and abuse, to discuss these issues and suggest solutions.

b. Witnesses.—Gary W. Oetjen, Assistant Special Agent in Charge, Louisville, KY District Office, Drug Enforcement Administration; John Sommer, director, Ohio High Intensity Drug Trafficking Area [HIDTA]; Randy Riley, Clinton County Commissioner; Ralph Fizer, Jr., Clinton County sheriff; Tom Ariss, Warren County sheriff; Dave Vore, Montgomery County sheriff; Commander John Burke, Greater Warren County Drug Task Force; and Jim Grandey, esq., Highland County Prosecutor.

18. *"The National Parks: Preservation of Historic Sites and the Northeast Region," August 24, 2005 (Boston, MA)*

a. Summary.—This hearing was the third in a series of hearings being held to examine the state of the National Parks. This series has examined preservation, maintenance, law enforcement and homeland security. This hearing focused on these issues in the Northeast Region, with particular attention to funding and management of parks in the region, and the preservation of historic sites under the jurisdiction of the National Park Service. Historic preservation is a large component of the NPS' mission. Maintaining and restoring important historical sites is often expensive. This hearing also examined the NPS' efforts to adequately maintain such important sites as Longfellow Historic Site and Adams National Historic Site.

b. Witnesses.—Robert W. McIntosh, Associate Regional Director for Planning and Partnerships, Northeast Region, National Park Service; Roger Kennedy, National Council chairman, National Parks Conservation Association; Marilyn Fenollosa, National Trust for Historic Preservation; Ken Olson, president, Friends of Acadia National Park; and Lt. John McCauley, museum curator, Ancient and Honorable Artillery Company of Massachusetts.

19. *"Women and Cancer: Where Are We in Prevention, Early Detection and Treatment of Gynecologic Cancers?" September 7, 2005*

a. Summary.—September was "Gynecologic Oncology Awareness Month." This hearing addressed national efforts to raise awareness among patient and medical communities of gynecologic cancers, and effectively educate relevant communities about gynecologic cancers, as well as address the funding path for innovative and cutting edge research for gynecologic cancers.

b. Witnesses.—Dr. Edward L. Trimble, M.D., M.P.H., Head of the Surgery Section, Division of Cancer Treatment and Diagnosis, National Cancer Institute; Dr. Ed Thompson, M.D., M.P.H., Chief of Public Health Practice, Centers for Disease Control and Prevention; Dr. Richard Pazdur, MD, Director, Division of Oncology Drug Products, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Dr. Beth Karlan, president, Society of Gynecologic Oncologists; Dr. Mark Jay Rosenfeld, scientist/researcher; Sheryl Silver, sister of Johanna Silver; and Kolleen Stacey, ovarian cancer survivor.

20. *"National Parks in the Pacific Northwest," September 12, 2005 (Bellevue, WA)*

a. Summary.—This hearing was the fourth in a series of hearings being held to examine the state of the National Parks. The series examined preservation, maintenance, law enforcement and homeland security. This hearing focused on these issues in the Pacific Northwest, with particular attention to funding and management of parks in the region, and environmental stewardship. The hearing also examined partnerships between State park systems and the National Park Service and the U.S. Forest Service and the National Park Service.

b. Witnesses.—Cicely Muldoon, Deputy Regional Director for Public Use, Pacific West Region, National Park Service; Rex Derr, di-

rector, Washington State Parks and Recreation Commission; Tim Wood, director, Oregon State Parks; Sally Jewell, trustee, National Parks Conservation Association; Russ Dickenson, Former Director, National Park Service; and Rod Fleck, city attorney/planner, Forks, WA.

21. *“Management of the National Parks and the Parks of the Southwest,” October 13, 2005 (Flagstaff, AZ)*

a. Summary.—This hearing was the fifth in a series of hearings being held to examine the state of the National Parks. The series will continue to examine preservation and maintenance, and law enforcement and homeland security. This hearing focused on management of the national parks with a special focus on the National Park Service’s core operations analysis. The hearing also examined the parks of the American Southwest.

b. Witnesses.—Richard M. Frost, Associate Regional Director, Communications and External Relations, Intermountain Region of the National Park Service; Deborah Tuck, president, Grand Canyon National Park Foundation; Bob Keiter, board member, National Parks Conservation Association; Kimberly Spurr, board member, Arizona Archeological Council; and Rick Smith, former Associate Regional Director, Natural and Cultural Resources, Southwest Regional Office of the National Park Service.

22. *“Stopping the Methamphetamine Epidemic: Lessons from the Pacific Northwest,” October 14, 2005 (Portland, OR)*

a. Summary.—This hearing examined the state of methamphetamine trafficking, production and abuse in the States of Oregon and Washington, and how the Federal Government can assist State and local authorities in combating this growing problem. The hearing provided an opportunity for representatives of Federal and local agencies with experience in fighting methamphetamine trafficking and abuse, as well as experts in drug treatment and prevention, to discuss these issues and suggest solutions.

b. Witnesses.—Rodney G. Benson, Special Agent in Charge, Seattle Field Division, Drug Enforcement Administration; Chuck Karl, director, Oregon High Intensity Drug Trafficking Area [HIDTA]; Dave Rodriguez, Director, Northwest High Intensity Drug Trafficking Area [HIDTA]; Karen Ashbeck, mother and grandmother of recovering methamphetamine addicts; Sheriff John Trumbo, Umatilla County Sheriff’s Office; Sheriff Tim Evinger, Klamath County Sheriff’s Office; Rick Jones, Choices Counseling Center; Kaleen Deatherage, director of public policy, Oregon Partnership, Governor’s Meth Task Force; Tammy Baney, Chair, Deschutes County Commission on Children and Families; and Shawn Miller, Oregon Grocery Association.

23. *“Sick Crime: Counterfeit Drugs in the United States,” November 1, 2005*

a. Summary.—Selling fake prescription drugs within the United States is a serious public health threat, and a growing problem. FDA counterfeit drug investigations rose more than 150 percent in 2004 from the previous year. According to the World Health Organization, 10 percent of global pharmaceutical commerce this year

will be counterfeit. That number is expected to double by the year 2010, as international criminal organizations become more sophisticated. This hearing investigated the threat of counterfeit drugs within the United States and measures to prevent counterfeit drug importation and distribution.

b. Witnesses.—Randall W. Lutter, PhD., Acting Associate Commissioner for Policy and Planning, Food and Drug Administration; Katherine Eban, author, *Dangerous Doses*; Kevin Fagan, father of Timothy Fagan, counterfeit drug victim (Epogen); Max Butler, brother of Maxine Blount, counterfeit drug victim (Procrit); Peter Pitts, Center for Medicines in the Public Interest; Carmen Catizone, executive director, National Association of Boards of Pharmacy; Jim Dahl, former Assistant Director, Investigations, FDA Office of Criminal Investigations; and Donald deKieffer, deKieffer and Horgan.

24. *“National Parks of California,” November 28, 2005 (San Francisco, CA)*

a. Summary.—This hearing was the sixth in a series of hearings being held to examine the state of the National Parks. The series continued to examine preservation and maintenance, and law enforcement and homeland security. This hearing focused on the park units of California, with particular attention to National Recreation Areas, State and Federal management of park units, and Yosemite National Park.

b. Witnesses.—Brian O’Neill, General Superintendent, Golden Gate National Recreation Area, National Park Service; Theodore Jackson, Deputy Director for Park Operations, California State Parks; Gene Sykes, Chair, National Parks Conservation Association; Greg Moore, Executive Director, Golden Gate Conservancy; and Daphne Kwok, executive director, Angel Island Immigration Station Foundation.

25. *“National Parks of Hawaii,” December 1, 2005 (Honolulu, HI)*

a. Summary.—This hearing was the seventh in a series of hearings being held to examine the state of the National Parks. The series examined preservation and maintenance, and law enforcement and homeland security. This hearing focused on the park units of Hawaii, with particular attention to visitor services and invasive species.

b. Witnesses.—Frank Hays, Pacific Area Director, National Park Service; Craig Obey, vice president for government affairs, National Parks Conservation Association; Suzanne Case, executive director, the Nature Conservancy, Hawaii; George Sullivan, chairman, Arizona Memorial Museum Association; and Casey Jarman, board member, Friends of Hawaii Volcanoes National Park.

26. *“National Parks of Florida,” January 11, 2006 (Miami, FL)*

a. Summary.—This hearing is the eighth in a series of hearings focusing on the critical issues facing the National Park Service, examining the preservation, maintenance, law enforcement, and homeland security of National Parks. This particular hearing focused on the park units of Florida, with special attention paid to Everglades National Park. The National Park Service is facing

many challenges and problems. Management and funding are of constant concern to all park units. Underneath these issues are problems unique to each park unit. In Florida, environmental degradation is of particular concern. In addition, this hearing examined the effectiveness of the restoration and rehabilitation process pursued to counter the ecological effects of hurricanes.

b. Witnesses.—Sherri Fields, Chief of the Natural Resources Division, Southeast Region, National Park Service; Nathaniel Reed, member of the National Council, National Parks Conservation Association; and Dexter Lehtinen, senior member, South Florida Ecosystem Restoration Task Force.

27. *“National Drug Control Budget for Fiscal Year 2007,” February 16, 2006*

a. Summary.—This served as an oversight hearing to examine the administration’s priorities and goals for the Federal Government’s overall drug strategy for 2006. It also examined the overall Federal drug budget proposed by the administration for fiscal year 2007.

b. Witnesses.—John Walters, Director, Office of National Drug Control Policy, Executive Office of the President.

28. *“Human Cloning and Embryonic Stem Cell Research After Seoul: Examining Exploitation, Fraud and Ethical Problems in the Research,” March 7, 2006*

a. Summary.—The scientific scandal at the World Stem Cell Hub in Seoul, South Korea, revealed that cloning research widely acclaimed by proponents of human cloning and embryonic stem cell research was a fraud. The scandal also brought to light the fact that female assistants were coerced to “donate” their eggs for the stem cell and cloning research. In light of the scandal, this hearing addressed the ethical challenges resulting in potential exploitation, fraud and coercion in the research areas of human cloning and embryonic stem cell research.

b. Witnesses.—James F. Battey, Jr., M.D., Ph.D., Chair, NIH Stem Cell Task Force, Director, National Institute on Deafness and Other Communication Disorders; Bernard Schwetz, Director, Office for Human Research Protections; Chris B. Pascal, Director, Office of Research Integrity; Richard A. Chole, M.D, Ph.D Lindberg professor and chairman, Department of Otolaryngology, Washington University School of Medicine, St. Louis; Judy Norsigian, executive director, Our Bodies Ourselves, co-author of “Our Bodies, Ourselves”; Diane Beeson, M.A., PhD, professor emerita, Department of Sociology and Social Services, California State University, East Bay; Richard Doerflinger, deputy director, Secretariat for Pro-Life Activities, U.S. Conference of Catholic Bishops; Debra J.H. Matthews, M.A., Ph.D, Assistant Director for Science Programs, the Phoebe R. Berman Bioethics Institute; and Joe Brown, Parkinson’s Action Network State Coordinator, Texas.

29. *“Appalachian Ice: The Methamphetamine Epidemic in Western North Carolina,” April 11, 2006 (Lenoir, NC)*

a. Summary.—This hearing will explore the impact of the methamphetamine epidemic in North Carolina and the response of law

enforcement at the Federal, State and local level to the trafficking and abuse of this drug.

b. Witnesses.—John J. Emerson, Assistant Special Agent-in-Charge, Charlotte District Office, Drug Enforcement Administration; James Gaither, district attorney, 25th Judicial District; Van Shaw, special agent, State Bureau of Investigation, Clandestine Labs Response Program; Sheriff Gary Clark, Caldwell County; Sheriff C. Phillip Byers, Rutherford County; and Lynne Vasquez, mother of convicted meth dealer and addict.

30. *“Gangs, Fraud and Sexual Predators: Struggling with the Consequences of Illegal Immigration,” April 12, 2006 (Winston-Salem, NC)*

a. Summary.—Inadequate vigilance against illegal immigration is creating opportunities for criminals to victimize individuals and taxpayers in general. This hearing will examine these problems, probe the response of Federal, State and local governments and solicit solutions.

b. Witnesses.—Jeffrey S. Jordan, Special Agent, Immigration and Customs Enforcement; State Representative Dale Folwell; Thomas Keith, district attorney, 21st Judicial District; Debra Conrad-Shrader, vice-chair, Forsyth County Board of Commissioners; and Brandon Holland, Forsyth County director, Zero Armed Perpetrators [ZAP] Program.

31. *“Transit Zone Operations: Can We Sustain Record Seizures with Declining Resources?” April 26, 2006*

a. Summary.—This hearing examined the effectiveness of the U.S. drug enforcement efforts in the transit zone. In addition to the obvious loss of lives and productivity to narcotic usage, smuggling transportation groups are capable of smuggling not only drugs, but also aliens, terrorists, and weapons. Therefore, if the United States increases its ability to interdict narcotics in the transit zone, we also increase our effectiveness at stopping the smuggling of aliens, terrorists and weapons.

b. Witnesses.—James F.X. O’Gara, Deputy Director of Supply Reduction, Office of National Drug Control Policy; Rear Admiral Jeffrey Hathaway, Director, Joint Interagency Task Force, South; Michael Braun, Director of Operations, Drug Enforcement Administration; Rear Admiral Wayne Justice Assistant Commandant for Enforcement and Incident Management, USCG; Major General Michael Kostelnik, USAF (retired), Assistant Commissioner for Customs and Border Protection, Office of Air and Marine; and Rear Admiral Alvaro Echandia, Chief of Naval Intelligence, Colombian Navy.

32. *“RU-486: Demonstrating a Low Standard for Women’s Health?” May 17, 2006*

a. Summary.—The Food and Drug Administration in September 2000 approved RU-486, aka mifepristone or Mifeprex—trade name—as a form of abortion through 49 days of pregnancy. Since its approval, at least seven women have died subsequent to taking RU-486; there have been at least 857 reported unique adverse events—as of August 2005—associated with this drug, at least 46

of which were life-threatening, and over 500 of which required surgical interventions. The risk of death using RU-486 is 10 times that of surgical abortion during the first 7 weeks of pregnancy. The most recent death associated with this drug was reported by the FDA on March 17, 2006. This hearing examined the unsafe characteristics of RU-486, the reported maternal deaths and adverse events associated with it, and FDA's actions regarding the RU-486 abortion regimen since its approval.

b. Witnesses.—Janet Woodcock, M.D., Deputy Commissioner for Operations, Food and Drug Administration [FDA]; Monty Patterson, father of Holly Patterson who was 18 years old when she died after taking RU-486; Susan Wood, Ph.D., Former FDA Assistant Commissioner for Women's Health; Lisa D. Rarick, M.D., RAR Consulting, LLC; Donna Harrison, M.D., member, Mifeprex Subcommittee of American Association of Prolife Obstetricians and Gynecologists; and O. Carter Snead, associate professor of law, University of Notre Dame, former general counsel for the President's Council on Bioethics.

33. *"Fiscal Year 2007 Drug Control Budget and the Byrne Grant, HIDTA, and Other Law Enforcement Programs: Are We Jeopardizing Federal, State and Local Cooperation?" May 23, 2006*

a. Summary.—The purpose of the hearing was to discuss the President's fiscal year 2007 budget proposal as it relates to programs designed to help State and local drug enforcement, including the Edward Byrne Memorial Justice Assistance Grants ("Byrne Grants"), the High Intensity Drug Trafficking Areas [HIDTA] and modifications to Office of Justice Programs [OJP] at the Justice Department. The subcommittee analyzed the strategy for Federal, State and local cooperation underlying these proposals.

b. Witnesses.—Regina Schofield, Assistant Attorney General, Office of Justice Programs [OJP], U.S. Department of Justice; Stuart Nash, Associate Deputy Attorney General and Director, Organized Crime Drug Enforcement Task Force [OCDETF], U.S. Department of Justice; Scott Burns, Deputy Director for State and Local Affairs, Office of National Drug Control Policy; Ron Brooks, president, National Narcotics Officers' Associations' Coalition, director, Northern California HIDTA; Tom Carr, director, Washington-Baltimore HIDTA; Tom Donahue, director, Chicago HIDTA; Abraham Azzam, director, Southeast Michigan HIDTA; and John Burke, director, Southwest Ohio Regional Drug Task Force [SWORD].

34. *"Evaluating the Synthetic Drug Control Strategy," June 16, 2006*

a. Summary.—The long-awaited Synthetic Drug Control Strategy—with an anticipated emphasis on methamphetamine—was due to be released by the Office of National Drug Control Policy on June 1st. With the near-universal recognition that methamphetamine addiction has become an epidemic, it was imperative that the Federal Government provide the best possible leadership and vision on this pressing social and law enforcement problem. This hearing sought to examine the new strategy and gather input on it from various Federal, State and private agencies who have played key roles in the fight against this drug.

b. Witnesses.—Scott Burns, Deputy Director for State and Local Affairs, Office of National Drug Control Policy; Uttam Dhillon, Director, Office of Counter-Narcotics Enforcement, Department of Homeland Security; Joseph Rannazzissi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration; Dr. Don Young, Acting Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Eric Coleman, Oakland County commissioner (MI), National Association of Counties; Dr. Lewis E. Gallant, executive director, National Association of State Alcohol and Drug Abuse Directors; Sherry Green, executive director, National Alliance for Model State Drug Laws; Sue Thau, public policy consultant, Community Anti-Drug Coalitions of America; and Ron Brooks, president of the National Narcotics Officers' Associations' Coalition and director of Northern California HIDTA.

35. *"Clinical Lab Quality: Oversight Weaknesses Undermine Federal Standards," June 27, 2006*

a. Summary.—At the joint request of subcommittee Chairman Mark Souder and Ranking Member Elijah Cummings, the GAO studied oversight of the Clinical Laboratory Improvement Amendments of 1998 [CLIA] by the Centers for Medicare and Medicaid Services [CMS].

CLIA strengthened and extended quality requirements for labs that perform tests to diagnose or treat disease. About 36,000 labs that perform certain complex tests must be surveyed biennially by either a State or one of six private accrediting organizations. CMS oversees implementation of CLIA requirements and the activities of survey organizations. The GAO examined (1) the quality of lab testing; (2) the effectiveness of surveys, complaint investigations, and enforcement actions in detecting lab problems; and (3) the adequacy of CMS oversight of the CLIA program. This hearing explored GAO's findings and recommendations.

b. Witnesses.—Leslie Aronovitz, Director, Health Division, Government Accountability Office; Dr. Thomas Hamilton, Director, Survey and Certification Group, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services; Dennis S. O'Leary, M.D., president, Joint Commission on Accreditation of Healthcare Organizations; Thomas Sodeman, M.D., president, College of American Pathologists; and Doug Beigel, chief executive officer, COLA.

36. *"Availability and Effectiveness of Programs to Treat Victims of the Methamphetamine Epidemic," June 28, 2006*

a. Summary.—Methamphetamine use in the United States continues at epidemic levels. This highly addictive drug is difficult to overcome in treatment, and the relapse rate for meth users seeking treatment is very high. This hearing examined the availability and success of treatment programs seeking to help recovering methamphetamine addicts.

b. Witnesses.—Bertha Madras, Deputy Director for Demand Reduction, White House Office of National Drug Control Policy; Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health; Charles Curie, Administrator, Sub-

stance Abuse and Mental Health Services Administration [SAMHSA], Department of Health and Human Services; Russell Cronkhite, recovered meth addict; Darren and Aaronette Noble, recovered meth addicts, and son Joey Binkley; Richard A. Rawson, Ph.D., associate director, Integrated Substance Abuse Programs, UCLA; Leah Heaston, MSW, LCSW, ACSW, SAP, Noble County director, Otis R. Bowen Center for Human Services; Michael Harle, president and CEO, Gaudenzia, Inc.; and Pat Fleming, director, Salt Lake County Substance Abuse Services.

37. *"The Methamphetamine Epidemic in Colorado," July 7, 2006 (Loveland, CO)*

a. *Summary.*—This hearing, the 15th in a series of hearings held by the subcommittee since 2001 on methamphetamine abuse, continued our work on this significant and growing problem. The subcommittee examined the state of methamphetamine trafficking, production and abuse in Colorado and how the Federal Government can assist State and local authorities in combating this growing problem. The hearing provided an opportunity for representatives of Federal, State and local agencies with experience in fighting methamphetamine trafficking and abuse to discuss these issues and suggest solutions.

b. *Witnesses.*—Jeff Sweetin, Assistant Special Agent-in-Charge, Denver District Office, Drug Enforcement Administration; Larry Abrahamson, district attorney, 8th Judicial District; Ken Buck, district attorney, 19th Judicial District; John Cooke, Weld County Sheriff; Lt. Craig Dodd, commander, Larimer County Drug Task Force; Janet Rowland, Mesa County commissioner; Robert Watson, district attorney, 13th Judicial District; and Donita Davenport.

38. *"Pharmaceutical Supply Chain Security," July 11, 2006*

a. *Summary.*—Counterfeit prescription drugs are illegal and unsafe, and pose a serious threat to the public health and safety. Recent estimates by various researchers and the World Health Organization indicate counterfeit drugs represent as high as 50 percent of the total pharmaceutical supply. Global trade and the Internet have increased the international accessibility and movement of counterfeit drugs.

The U.S. drug supply chain has become increasingly vulnerable to a variety of threats. Counterfeit drugs often travel through a distribution network of wholesalers, distributors, pharmacies, online shell companies, and criminal organizations buying, selling and reselling through unofficial channels with little product integrity.

There are a number of measures that can be taken to provide integrity to the drug supply chain. This hearing focused on the scope of counterfeit drugs entering the supply chain and anti-counterfeiting measures that can be taken to eliminate the problem.

b. *Witnesses.*—Dr. Randall W. Lutter, Acting Associate Commissioner for Policy and Planning, Food and Drug Administration; Kevin Delli-Colli, Deputy Assistant Director, Financial and Trade Investigations Division, Office of Investigations, U.S. Immigration and Customs Enforcement; Carmen Catizone, executive director, National Association of Boards of Pharmacy; Susan C. Winckler, esq., vice president, Policy and Communications, American Phar-

macists Association; John M. Gray, president and CEO, Healthcare Distribution Management Association [HDMA]; and Rick Raber, project manager, Northern Apex, RFID.

39. *"Fencing the Border: Construction Options and Strategic Placement," July 20, 2006*

a. Summary.—In light of immigration legislation passed by the Senate and the House, a sense has clearly developed in Congress that fencing along the southwest border should be expanded and strengthened as a means of deterring drug traffickers and illegal aliens. This hearing examined the latest proposals in light of recent experience, particularly regarding the fencing in the San Diego sector of the border.

Fencing the border in precise areas proposes particular challenges. On December 16, 2005, the U.S. House of Representatives passed a new immigration bill, H.R. 4437. More specifically, the Hunter Amendment, H. Amdt. 648, it mandates the construction of 854 miles of double-layer, security-specific fencing—not vehicle barriers—including lights and cameras, along the southwest border. It requires the Secretary of Homeland Security to provide at least two layers of reinforced fencing, the installation of additional physical barriers, roads, lighting, cameras and sensors at five specified locations. Moreover, on May 17, 2006, the Senate voted 83–16 on S. 2611 to construct, within 2 years, 370 miles of triple-layer fencing and 500 miles of vehicle barriers in areas along the southwest border that DHS determines are most often used by smugglers and illegal aliens attempting to gain illegal entry. These proposals demand serious investigation into construction options and the challenges that may arise.

b. Witnesses.—Representative Duncan Hunter; Representative Stevan Pearce; Representative Silvestre Reyes; Kevin Stevens of Customs and Border Protection; Representative Steve King of Iowa; Douglas Barnhart, president of Douglas E. Barnhart, Inc., vice-president of the Association of General Contractors; Carlton Mann, Chief Inspector of the Office of Inspections and Special Reviews of the Department of Homeland Security's Office of Inspector General; Art Mayne, specifications writer for Merchants Metals; Don Williams of Roadrunner Planning and Consulting, consultant for Power Contracting, Inc.; and T.J. Bonner, president of the National Border Patrol Council.

40. *"Prescription Drug Abuse: What is Being Done to Address this New Drug Epidemic?" July 26, 2006*

a. Summary.—This hearing addressed a very important aspect of drug abuse in our country: the non-medical use of prescription drugs as a form of drug abuse. Prescription drug abuse is second only to marijuana abuse. In the most recent Household Survey, initiations to drug abuse started with prescription drugs—especially pain medications—more often than with marijuana. The National Institute on Drug Abuse has emphasized the significance of the problem of prescription drug abuse, engaging in research to address the problem, and calling for development of abuse-resistant medications; the Food and Drug Administration and Drug Enforcement Agency have both noted their efforts to work together to ad-

dress prescription drug abuse, but the practical steps taken by FDA and DEA together are unclear. Indirect costs associated with prescription drug abuse and diversion include product theft, commission of other crimes to support addiction, law enforcement costs, and encouraging the practice of defensive medicine.

Witnesses from the Food and Drug Administration and the Drug Enforcement Administration discussed those agencies' efforts to address this growing drug epidemic. The Office of National Drug Control Policy also participated in the hearing on demand reduction and policies targeting prescription drug abuse. A representative from the National Institute on Drug Abuse discussed that Institute's research portfolio and initiatives in the area of prescription drug abuse. Other witnesses included mothers who lost their children to prescription drug abuse; a representative from a pharmaceutical company developing an abuse-resistant formulation of highly-abused oxycodone; a representative from an interventional pain physicians group; and representatives from anti-drug organizations.

b. Witnesses.—Bertha Madras, Deputy Director for Demand Reduction, White House Office of National Drug Policy; Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health; Sandra Kweder, M.D., Deputy Director, Office of New Drugs, Center for Drug Evaluation and Research, Food and Drug Administration; Joe Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration; Misty Fetco, registered nurse who lost her 18-year-old son Carl to DXM and Fentanyl abuse; Linda Surks, lost her 19-year-old son Jason to a prescription drug overdose related death; Barbara van Rooyan, lost her 24-year-old son Patrick to Oxycontin use; Mathea Falco, J.D., president, Drug Strategies; Stephen E. Johnson, executive director, commercial planning, Pain Therapeutics, Inc.; Laxmaiah Manchikanti, M.D., chief executive officer, American Society for Interventional Pain Physicians; and Steve Pasierb, president and CEO, the Partnership for a Drug-Free America.

41. *"The National Parks of Alaska," August 14, 2006 (Anchorage, AK)*

a. Summary.—This hearing was the ninth in a series of hearings being held to examine the state of the National Parks. The series examined park preservation and maintenance, as well as law enforcement and homeland security issues. This hearing focused on the park units of Alaska and the unique role and challenges of NPS units in Alaska.

b. Witnesses.—Marcia Blazsak, Regional Director, Alaska Region, National Park Service; Michael Menge, commissioner, Alaska Department of Natural Resources; James Stratton, regional director for the Alaska Office, National Park Conservation Association; Ron Peck, president, Alaska Travel Industry Association; Rick Kenyon, publisher, Wrangell St., Elias News; and John Shively, vice president, government and community relations, Holland America.

42. *"Empowering Local Law Enforcement to Combat Illegal Immigration," August 25, 2006 (Gastonia, NC)*

a. *Summary.*—This hearing explored what is needed for State and local law enforcement to make a greater impact on the problem of illegal immigration, particularly with regard to those aliens who are committing crimes. One promising method is the § 287(G) training provided by Immigration and Customs Enforcement which, when completed, delegates authority to State and local officers to make administrative arrests of illegal aliens.

b. *Witnesses.*—Kenneth A. Smith, Special Agent-in-Charge, Atlanta Office, Immigration and Customs Enforcement [ICE]; Alan Cloninger, sheriff of Gaston County; Michael Lands, district attorney of Gaston County; Jim Pendergraph, sheriff of Mecklenburg County; and Emily Moose.

43. *"Combating Youth Violence: What Federal, State and Local Governments are Doing to Deter Youth Crime," October 3, 2006 (Los Angeles, CA)*

a. *Summary.*—Many of the factors that contribute to the rise of gang culture and youth violence are present in southern California, particularly in Los Angeles County. The purpose of this hearing was to explore what government officials at all levels—as well as various private entities and community leaders—are doing to suppress gang activity and to prevent the culture of gangs and violence from taking root in the hearts of vulnerable young people.

b. *Witnesses.*—Robert B. Loosle, Special Agent in Charge, Criminal Division, Los Angeles FBI; John A. Torres, Special Agent in Charge, LA Field Division, ATF; Danny Trejo, film actor and former gang member; Chief Ronnie Williams, Los Angeles Sheriff's Department; Jerald Cavitt, former gang member; Captain Regina Scott Patrol Commanding Officer, Southwest Division, Los Angeles Police Department; Charlotte Jordan, CEO, Mothers on the March; Dan Isaacs, chief operating officer, Los Angeles Unified School District; Eddie Jones, president, LA Civil Rights Association; and Reverend Dr. Clyde W. Oden, Jr., senior pastor at Bryant Temple AME Church, board member of the African American Summit on Violence Prevention.

OTHER

1. *Abstinence and its Critics.*—First posted on our Web site on October 27th, this 33-page staff report is a comprehensive response to the so-called "Waxman Report," which was put out by the Democrat staff of the Government Reform Committee in December 2004. The Waxman Report attacked Federal funding of abstinence-based education and sought to discredit the most widely-used abstinence curricula. Despite its shallow research and reliance on misleading or erroneous statements, the Waxman Report has been trumpeted as the definitive indictment of abstinence curricula.

The subcommittee's report is a thorough, well-researched debunking of the minority effort. To enable readers to make their own judgment, a copy of the Waxman Report is attached as an appendix.

2. *FDA and RU-486: Lowering the Standards for Women's Health.*—First posted on our Web site in October, this 40 page staff report is a comprehensive study of the failure of the FDA to apply required standards when it approved this dangerous abortion regimen. With meticulous research and analysis, the report documents the unacceptable consequences for women's health and demonstrates why action ought to be taken to withdraw FDA's hurried and ill-considered approval of this drug.

3. *Afghanistan and Opium: A Primer.*—Posted on our Web site in October 2006, this 37 page staff report provides a comprehensive overview of opium poppy cultivation and heroin production in Afghanistan. The report draws on a wide range of resources to provide the reader with an understanding of the magnitude of the problem faced in Afghanistan. It includes a review of U.S. Government agencies and programs engaged in the counter-drug effort in that country, as well as a view of the obstacles.

4. *2006 Congressional Drug Control Budget and Policy Assessment: A Review of the 2007 National Drug Control Budget and 2006 National Drug Control Strategy.*—This 146-page report was approved and adopted by the full committee on March 9, 2006. It is an exhaustive investigation of the drug control efforts of every Federal agency that is involved in drug control, with policy analysis and assessment of the National Drug Control Strategy.

III. SUBCOMMITTEE ON ENERGY AND RESOURCES

1. *"Energy Demand in the 21st Century: Are Congress and the Executive Branch Meeting the Challenge?" March 16, 2005*

a. *Summary.*—The United States consumes 25 percent of the world's energy supply. Of the global supply, we consume 43 percent of motor gasoline, 25 percent of crude petroleum, 25 percent of natural gas, and 26 percent of electricity. Our appetite for energy has certainly led to a dynamic economy and economic growth, with suppliers eager to meet U.S. energy requirements. However, rapidly growing demand from the developing world, particularly China, has helped contribute to volatility in fuel prices.

The current continuing volatility in fuel supplies and prices, which began in late spring of 1999, has been the fourth significant episode since 1973. By necessity, Americans are more aware of the extent to which the U.S. economy and lifestyle depends on inexpensive and plentiful energy. Although it may be accurate to view this 30-year period as one of general price and supply stability that is periodically broken by shorter periods of supply disruption and price volatility, further analysis reveals the current situation we are experiencing is substantially different from the previous episodes in a number of critical respects, especially taking into account increasing demand in the world market.

Considering price instability and the potential for continued high prices in the context of the current domestic and international energy situation—increasing world demand and declining U.S. oil production—it is exceedingly important that Congress focus on the key energy issues confronting the United States. Is Congress asking the right questions, including whether Federal Government agencies are taking the right kind of actions to meet U.S. needs?

Over the past three decades it has been difficult to achieve widespread consensus on national energy policy. Achieving a delicate balance between competing interests is a time consuming process. The impact of energy development on the environment, the structure of economic incentives for increasing exploration and the development of new technologies, and different regional interests largely account for the lack of an enacted energy bill in the 108th Congress, despite a conference report being filed for H.R. 6.

The hearing addressed: a) whether or not Congress focused on the key energy issues confronting the United States at that time; b) whether or not Federal Government agencies took the right actions to meet U.S. energy requirements in the 21st century; c) how domestic supply and increasing international demand for energy were affecting the United States; d) the factors that contributed to volatility in fuel supply prices; and e) how the United States could continue to meet domestic demand for energy while simultaneously ensuring the future reliability, affordability, and sustainability of the energy supply.

b. Witnesses.—Jim Wells, Director, Natural Resources and Environment, U.S. Government Accountability Office [GAO]; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; and Paul Portney, president, Resources for the Future.

2. *"America's Energy Needs as Our National Security Policy," April 6, 2005*

a. Summary.—Miguel Unzueta, U.S. Immigration and Customs Enforcement, Special Agent in Energy is a critical driver of the United States and world economies. United States and global living standards cannot continue to rise without increasing energy consumption. Affordable, reliable, and sustainable energy supplies are essential to our national security and global commitments. Meeting rising energy needs is not just a domestic problem. It is now a global problem and issue.

The U.S. economy is becoming more energy efficient, and this trend will continue. Since 1950, the amount of energy needed to produce each dollar of U.S. GDP has been reduced by 48 percent. Since 1970, U.S. GDP increased 164 percent as energy consumption increased 42 percent. Innovation in developing new technologies plays a large part in both better efficiency and driving further energy demand as we integrate items such as the personal computer, new media, and better communications devices into our daily lives. However, since 1970 U.S. vehicle miles traveled have increased 155 percent as our economy has become more dependent on energy imports.

High demand growth for oil and natural gas in the global market, particularly in China, has led to a tightening of supplies and high prices. In March 2005, crude oil prices topped \$57 per barrel, a 32 percent increase since the end of 2004. At the time of this hearing, gasoline prices had increased 27 cents per gallon since January 1, 2005, and 33 cents per gallon since last year at the same time. Unlike previous periods of price volatility, this one is demand-driven and not caused by supply restrictions instituted by OPEC or political upheaval.

The United States now relies on oil imports for nearly 60 percent of consumption, and this figure is expected to rise, with the Department of Energy forecasting imports to represent two-thirds of the supply needed in 2020. At the same time, internationally we are competing for a world commodity that will see ever greater growth in demand rates.

These factors have caused a shift in energy geopolitics. China, now the second largest importer and consumer of oil in the world, has employed increasingly aggressive tactics in securing access to oil and natural gas, and it has not hesitated to seek out sources controlled by governments hostile to U.S. interests. China receives 15 percent of its oil from Iran and 6 percent from Sudan. China recently executed a number of agreements with Venezuela, with the goal of granting Chinese oil companies preferential access to oil and gas projects in Venezuela. In addition, China is seeking out unconventional opportunities, including new investment in Canadian oil sands, which until recently were considered not economically viable for production purposes.

At the same time, national or State-owned oil companies are turning away from their traditionally insular roles and are pursuing contracting opportunities that were previously the reserve of international oil companies. This development is of particular concern since government-controlled companies already manage 72 percent of the world's oil reserves, 55 percent of gas reserves, and more than half of current world oil production.

Considering these developments, it is extremely important for Congress to reassess the role of energy in our national security. While the goals of energy independence and energy self-sufficiency have received headlines, given market conditions, technological advancements, and forecasts through 2025, the ability of the United States or almost any industrialized country to meet 100 percent of domestic energy needs without imports is unrealistic.

However, the United States must ensure it is not dependent on unreliable or unfriendly sources of energy to a point where national security interests are compromised or the economy experiences marked and prolonged negative effects. As noted in recent articles in the national press, a number of influential former national security officials and activists across the political spectrum have banded together to address U.S. oil consumption, energy demand, and national security. We cannot achieve our strategic goals without a long-term plan—a comprehensive national energy policy incorporating incentives for increased domestic production of traditional and non-traditional resources, the development of new technologies, and the promotion of conservation.

The hearing addressed: a) what could be done to ensure affordable, reliable, and sustainable energy for the U.S. economy; b) how concerned the United States should be regarding the growing number of bilateral agreements and alliances between China, Russia, and other countries; and c) how the global energy supply and demand situation affects the United States and world economies in addition to U.S. foreign policy options and international commitments.

b. Witnesses.—Jeffrey Clay Sell, Deputy Secretary, Department of Energy; R. James Woolsey, former Director of the Central Intel-

ligence Agency; Ambassador Robert Hormats, vice chairman, Goldman Sachs International; and Robert E. Ebel, chairman, Energy Program, Center for Strategic and International Studies.

3. *"The Role of Nuclear Power Generation in a Comprehensive National Energy Policy," April 28, 2005*

a. *Summary.*—Nuclear power plants currently generate a significant proportion of the Nation's electricity. Projected growth in electricity demand, volatile fossil fuel prices, and environmental concerns have revitalized interest in nuclear generation in the United States and elsewhere in the world. Nuclear power is a proven, emission-free source of electricity that can contribute to the security of energy supplies and the stability of prices.

Today's operating nuclear power plants are consistent high performers in the U.S. electricity generation system, accounting for 20 percent of the Nation's electricity. Second only to coal, nuclear power is a primary source of the Nation's baseload power—the power that electric utility companies must deliver all day long. 103 licensed reactors, operating at 65 sites in 31 States, produced a record 824 billion kilowatt hours [kWh] of electricity in 2004—more than the Nation's entire electrical output in the early 1960s, when the first large-scale commercial reactors were ordered.

Our Nation's electricity demand continues to grow as the population increases, the economy expands, and elements of our daily life become increasingly electrified. In 2003, the Nation used 3.5 billion kWh of electricity and official forecasts call for electricity use to increase 50 percent by 2025. The Energy Information Administration [EIA] attributes this growth to increased industrial output; an increase in residential electricity use for heating, cooling, and lighting as average home size increases; and projected increases in the amount of electricity used for air conditioning as the U.S. population shifts to warmer climates. Hundreds of new power plants of all types will be needed by 2025—mostly after 2010—to satisfy the Nation's growing appetite for electricity. EIA estimates that this growth in demand, coupled with the retirement of older, inefficient plants, means that the Nation will need 281 gigawatts of new electrical generation capacity.

Due in large part to fears regarding plant safety created by the accident at Three Mile Island, no nuclear power plants have been ordered in the United States since 1978 and more than 100 reactor orders have been canceled, including all orders placed after 1973. Both the nuclear power industry and the Department of Energy project that virtually all of the 103 commercial power plants will renew their operating licenses for an additional 20 years, but nuclear power is expected to experience a mere 9 percent growth in generating capacity—nowhere near the 41 new 1,000 megawatt plants needed by 2025 just to maintain nuclear power's 20 percent share of the Nation's electricity generation.

Concerns regarding the security of energy supply, fossil fuel price volatility, and air quality have prompted renewed consideration of nuclear power options by utilities and industry observers. Considering whether and how to maintain or expand nuclear power's share of U.S. electricity generation in the coming decades, rather than allowing its share to shrink, is an essential component of

crafting a comprehensive national energy policy. This hearing sought to identify the role of nuclear power in meeting America's electricity demand in the 21st century, the extent of the challenges faced by the industry in building new nuclear power generators, thus determining how these issues could be addressed by a comprehensive energy policy.

The hearing addressed: a) the advantages and disadvantages of maintaining or expanding nuclear power's role in providing the new electricity generation capacity required by 2025; b) the optimum blend of stimulus measures to encourage new construction of nuclear generating capacity; and c) the consequences of allowing the U.S. nuclear power production capacity to atrophy.

b. Witnesses.—Donald Jones, vice president and senior economist, RCF Economic and Financial Consulting, Inc.; Marvin Fertel, senior vice president for business operations, Nuclear Energy Institute; and Patrick Moore, chairman and chief scientist, Greenspirit Strategies Ltd.

4. *"Gasoline: What's Causing Record Prices at the Pump?" May 9, 2005 (San Diego, CA)*

a. Summary.—At the date of this hearing, gasoline prices had been rising steadily for months. Prices had reached national average highs although, when adjusted for inflation, they were below the March 1981 inflation-adjusted peak of \$3.10. Prices had increased 46 cents per gallon since January 1, 2005, climbing to a peak price of \$2.28 per gallon. It should be noted that consumers in California generally have higher fuel costs than the rest of the country.

Good weather and vacations cause U.S. summer gasoline demand to average approximately 5 percent higher than during the rest of the year, and there is always concern that gasoline prices will continue to rise in the summer months when demand is greatest. Increased gasoline prices affect every sector of the American economy and have a dramatic impact on the pocketbooks of everyday families.

Global oil demand, constraints on refinery capacity, petroleum infrastructure limitations and the number of specialized fuel blends in the United States are all contributing to the gasoline price problem.

The hearing addressed: a) how fluctuations in crude oil prices at that time affected the price of gasoline; b) the potential demand-side and supply-side solutions to reduce gasoline prices at that time; c) policies that could potentially provide a more secure and affordable domestic supply of gasoline in the long-term; d) why refinery capacity has failed to keep pace with demand for gasoline; e) the regulatory difficulties and costs associated with building, expanding, and maintaining refinery facilities; and f) how varying fuel specifications across the country affect U.S. gasoline prices.

b. Witnesses.—John Cook, Director of the Petroleum Division, Office of Oil and Gas, Energy Information Administration, U.S. Department of Energy; Jim Wells, Director, Natural Resources and Environment, U.S. Government Accountability Office; Pat Perez, Transportation Energy Division, California Energy Commission;

and Rayola Dougher, manager, energy market issues, American Petroleum Institute.

5. *“Ensuring the Reliability of the Nation’s Electricity System,” June 8, 2005*

a. Summary.—Meeting the Nation’s increasing electricity demand is essential to powering our economy. According to Energy Information Administration figures, electricity demand in the United States is forecast to rise 50 percent by 2025. A competitive electricity marketplace must ensure reliability of the system and reasonable prices in the wholesale and retail markets.

The U.S. electricity system is considered to be among the most reliable in the world. Any major outage is international news because of the rarity of transmission problems. Reliability of the electric grid is defined in terms of its adequacy and security. Adequacy refers to the supply needed to meet aggregate demand at all times, and security refers to having a robust system able to withstand sudden disturbances or unanticipated loss of system elements.

The traditional U.S. transmission system of utilities serving local customers in monopoly service areas was developed to fit the regulatory framework codified in the 1920 Federal Power Act. Because of unreliable service, high consumer rates, and unstable holding company ownership structures, the Public Utility Holding Company Act of 1935 and the 1935 Federal Power Act were enacted to eliminate unfair practices and other abuses by electricity and gas holding companies by requiring Federal control and regulation of interstate public utility holding companies. States were responsible for most regulation since utilities were largely limited to natural monopolies serving a defined customer base within a State. The Federal authority, now known as the Federal Energy Regulatory Commission, was responsible for regulation of the transmission and sale of interstate, wholesale bulk power—defined as electricity generation and high-voltage transmission.

In the last 30 years, the electric utility industry has been in a process of transformation. In the past few decades, the electricity marketplace has moved beyond the 1935 Federal legal framework that favored the legacy “natural” monopoly system. The system has been superseded by developments in technology and new ownership structures, which demonstrated that monopolies are not a requirement for efficient delivery of electricity.

Since the enactment of the Energy Policy Act of 1992, new entities have been formed to generate and sell electricity at the wholesale level in a largely deregulated environment. However, the transmission grid infrastructure continues to be heavily regulated. At the State level, 24 States and the District of Columbia moved to increase the role of competition in retail markets, presumably lowering prices and offering customers more choice.

In practice the results of patchwork deregulation and restructuring have been inconsistent. Management, investment, and maintenance of the electricity system have varied widely across geographic regions, as evidenced by the experience of California and the August 14, 2003, northeast-midwest blackout. The bulk power system is now being used in ways for which it was not designed. As a result of these developments, a number of States have halted

their efforts to further deregulate and open up retail markets to competition.

Ensuring the reliability of the electricity system must be a priority for the Nation. This hearing assessed the status of the system within the current regulatory environment, challenges to investment in transmission infrastructure and capacity, and how these issues must be addressed as part of a comprehensive energy policy.

The hearing addressed: a) the status of the Nation's electricity system in terms of reliability, and what had taken place since the August 2003 blackout; b) how the transmission system could meet electricity demand under a patchwork regulatory regime; c) measures to ensure a robust infrastructure and adequate management and coordination of the system going forward; and d) the critical components of a comprehensive energy policy to meet the electricity reliability needs of a growing economy.

b. Witnesses.—Pat Wood III, chairman, Federal Energy Regulatory Commission; Michehl R. Gent, president and CEO, North American Electric Reliability Council; and David Owens, executive vice president, Edison Electric Institute.

6. *"The Next Generation of Nuclear Power," June 29, 2005*

a. Summary.—Nuclear energy has recently been the subject of renewed interest due to concerns over the security of energy supplies, fossil fuel price volatility, and air quality, as well the recently articulated national goals for developing a hydrogen economy.

At present, 103 licensed reactors are generating power in 31 States. In 2004, nuclear generators produced a record 824 billion kilowatt hours of electricity, accounting for 20 percent of the Nation's electricity'second only to coal. Nuclear energy provides over three-quarters of the Nation's emission-free electricity. No new nuclear power plants have been ordered in the United States since 1978, and more than 100 reactor orders have been canceled, including all orders placed since 1973.

All existing commercial nuclear reactors operating in the United States are light water reactors of two types: pressurized water reactors and boiling water reactors. These designs have an excellent safety operating record and generate a reliable electricity supply, but the possibilities for the use of nuclear energy could be broadened by advances in nuclear system design. The Department of Energy is currently engaged in developing and demonstrating a new generation of nuclear energy systems built on proven fission theory that offer enhanced safety design and improved efficiency.

This hearing sought to investigate these next generation nuclear technologies including: a) the administration's level of commitment to the Next Generation Nuclear Power Plant; b) how the government could further promote the development of Generative IV nuclear power technology; and c) long term benefits that will result from developing Generation IV nuclear power.

b. Witnesses.—Robert Shane Johnson, Acting Director, Nuclear Energy, Science and Technology, U.S. Department of Energy; Dr. David Baldwin, senior vice president, General Atomics; Dr. Rowan Rowntree, independent scientist; and Dave Lochbaum, nuclear safety engineer, Union of Concerned Scientists.

7. *"The Hydrogen Economy: Is it Attainable? When?" July 27, 2005*

a. Summary.—Oil demand is increasing worldwide, the vast majority of proven reserves are located in increasingly unstable regions, prices are rising, and environmental concern surrounding the development and use of fossil fuels is increasing. As a Nation, we must reduce our dependence on foreign supplies of energy in a manner that is affordable and preserves environmental quality.

The United States is increasingly dependent on imported energy sources to power the vast majority of the country's vehicles and drive the Nation's growing economy. Imported oil now accounts for nearly 60 percent of consumption, and this figure is expected to rise to nearly two-thirds by 2020. The Nation's increasing reliance on overseas oil imports acts as a drag on our economy. This year, high oil prices will likely account for more than a third of the greater than \$600 billion annual trade deficit. Furthermore, all too often the foreign sources on which the United States depends for these fuels are located in insecure regions of the world and, in some cases, are under the control of nations which have proven hostile to U.S. interests.

At a time when national security is at the forefront of our policy discussions, governments, oil companies, automobile manufacturers, and electric utility industries around the world are all starting to look toward hydrogen as the major energy carrier for the future. Hydrogen is the most abundant element in the universe and its only emission is water vapor. Hydrogen holds the potential to be the backbone of a safe, clean, and sustainable energy system for the Nation's future.

However, clean, efficient, and cost-effective hydrogen production is a significant challenge. Hydrogen is not a fuel that exists in nature in a readily usable form, such as oil or coal. Rather, it more closely resembles electricity—an energy carrier that must be generated from another fuel source. Moreover, commercially viable technologies to store and efficiently convert hydrogen into energy appear to be years away.

In 2003, the President prudently announced an ambitious initiative to move the Nation closer to energy independence and long-term energy sustainability by shifting to a hydrogen-based economy. The Hydrogen Fuel Initiative seeks to lay the foundation needed to transition to an economy powered not by hydrocarbons, but by hydrogen. This hearing assessed how and when this goal might be attained.

The hearing addressed: a) whether or not the Department of Energy's timeline for transitioning to a hydrogen economy is attainable; b) the Department of Energy's response to the National Academy of Sciences' recommendations regarding the implementation of the Hydrogen Fuel Initiative; c) how the Department of Energy has supported State initiatives to implement hydrogen programs and what more could be done; and d) the demonstration projects that are needed to advance the transition to a hydrogen economy.

b. Witnesses.—Douglas L. Faulkner, Acting Assistant Secretary for Energy Efficiency and Renewable Energy; Richard M. Russell, Associate Director for Technology, Office of Science and Technology Policy; Alan Lloyd, secretary, California Environmental Protection Agency; Dennis Campbell, CEO, Ballard Power Systems; Lawrence

D. Burns, vice president of research and development, General Motors Corp.; Mujid Kazimi, director, Center for Advanced Nuclear Energy Systems, Massachusetts Institute of Technology; and Daniel Sperling, director, Institute of Transportation Studies, University of California at Davis.

8. *“Meeting America’s Natural Gas Demand: Are We in a Crisis?”*
September 14, 2005

a. Summary.—Natural gas prices have been at record highs because of an ongoing tight supply and demand situation in the United States, and Hurricane Katrina has put increased pressure on markets. Demand has stressed the capacity of the market to deliver. Hurricane Katrina added a supply-side shock by shutting-in a significant volume of Gulf of Mexico production and causing pipelines to operate at reduced capacity. Natural gas prices rose 14 percent more than the price for crude oil in the immediate wake of the hurricane. According to the Energy Information Administration [EIA], this winter the cost to heat homes that use natural gas will be 52 percent higher as a nationwide average, with residences in the upper Midwest particularly hard hit as costs will increase by 71 percent.

Natural gas is extremely important to the overall economy, accounting for 25 percent of total U.S. energy consumption. The demand for natural gas in the United States has grown fourfold since 1950. This rise can be greatly attributed to the increased use of natural-gas-fired electricity generation, which now constitutes almost 20 percent of the Nation’s electricity portfolio and is 23 percent of total U.S. natural gas demand. According to the Energy Information Administration [EIA], by 2025 total U.S. natural gas consumption is expected to increase 40 percent from that of 2003.

Domestically produced natural gas currently accounts for 85 percent of gas consumed in the United States, with 15 percent being imported, mostly dry gas from Canada via pipeline. To meet increased demand, EIA predicts a greater volume of imports of Liquefied Natural Gas [LNG] and increased domestic production in the Rocky Mountain region.

The United States is now experiencing a fifth year of a tightening supply and demand problem, with demand growth continuing to exceed the ability of the natural gas industry to respond. An examination of both the short and long-term supply and demand situation is imperative to ensure energy security and a growing economy.

This hearing examined the current and future sources of supply for natural gas consumed in the United States, the impacts these choices have on the national economy, and the effect of regulatory policies on domestic production. Issues addressed included: a) how the United States would meet natural gas demands at a reasonable price during a crisis situation; b) what more Congress and the administration could do to ensure the security of our natural gas supplies for the foreseeable future; c) the consequences of relying on one geographic region for so much of the Nation’s natural gas production and infrastructure; d) measures that could be taken to reduce reliance on natural gas; e) how international demand affects supply and price; f) whether or not natural gas prices would re-

main high for the foreseeable future; and g) measures to create flexibility of supply to meet fluctuations in demand.

b. Witnesses.—Rebecca Watson, Assistant Secretary for Land and Minerals Management, Department of Interior; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; Michael Zenker, senior director, North American Natural Gas, Cambridge Energy Research Associates; Logan Magruder, president, Independent Petroleum Association of Mountain States; Tyson Slocum, research director, Energy Program, Public Citizen.

9. *“Petroleum Refineries: Will Record Profits Spur Investment in New Capacity?” October 19, 2005*

a. Summary.—The United States is widely recognized as having the largest, most sophisticated, and most productive petroleum refining infrastructure in the world. The 148 refineries owned by 55 companies in 33 States are capable of processing about 17 million barrels of crude oil per day into a broad array of products. But, the United States has not built a new refinery in over 30 years, and more than 100 have been shut down in that period. Nevertheless, U.S. consumers have enjoyed reliable supplies of fuels at relatively stable prices during that time. Existing refineries have updated their technology to significantly improve environmental performance while increasing production.

Despite the increases in overall output achieved by expanding existing capacity and running at very high production levels, the Nation’s domestic refining capacity is presently in a very tight balance with demand. Announced plans to build new domestic refineries have been few, and the magnitude of the global need for additional capacity to keep pace with projected demand in the foreseeable future is not likely to be satisfied by the few projects currently underway to expand global refining capacity.

Adequate refining capacity is essential to economic growth, and is a key factor in the price volatility of gasoline and other crude oil products. The United States needs a robust and flexible refined product supply system that is capable of adjusting to supply disturbances within a short period of time. However, Hurricanes Katrina and Rita have laid bare the limitations of the current structure of the U.S. refined product supply system. The hurricanes dramatically upset the delicate balance between operable capacity to refine crude oil and demand for refined petroleum products. The razor-thin margins between supply capacity and demand allowed price spikes to cascade quickly through the system and reach directly into consumers’ pocketbooks.

This hearing addressed: a) the risks to the U.S. economy posed by the posture of the Nation’s refining industry in a rapidly changing global market; b) whether or not new refineries will be built given the current investment climate and where; and c) whether or not foreign refiners have the processing capacity and capabilities to service the U.S. market with intermediate and finished products in a reliable and economical manner.

b. Witnesses.—Bob Slaughter, president, National Petrochemical and Refiners Association; Paul Sankey, senior energy analyst, Deutsche Bank AG; Tom O’Connor, project manager, ICF Consulting; and Eric Schaeffer, director, Environmental Integrity Project.

10. *"Methyl Bromide: Are U.S. Interests Being Served by the Critical Use Exemption Process?" February 15, 2006*

a. *Summary.*—In response to emissions of certain chemicals which contributed to the depletion of the Earth's stratospheric ozone layer, the United States entered into the 1987 Montreal Protocol (the "Protocol"), the aim of which was the gradual elimination of the use, production, and trade of so-called Ozone Depleting Substances. Methyl Bromide was identified as one such substance in 1992, and it is regulated globally under the Protocol, as amended in 1992 and adjusted in 1997, and domestically under Title VI of the U.S. Clean Air Act, as amended in 1993 and in 1998.

Methyl Bromide is a widely used biocide in the U.S. agricultural community because of its effectiveness at killing insects and plant pathogens. Accounting for 40 percent of global usage, U.S. farmers use it extensively for pre-planting, post-harvest, quarantine, and pre-shipment treatments. The use and production for anything other than quarantine and pre-shipment was to be completely phased-out for non-developing nations under the Protocol by January 1, 2005.²

It was hoped that the phase-out would allow the agricultural industry to continue to use Methyl Bromide, while at the same time, force it to seek out and use suitable alternatives. In addition to the millions invested by the private sector, the U.S. Government has spent over \$200 million in research and development in pursuit of a substitute for Methyl Bromide. To date, a suitable, wide-scale alternative has yet to emerge³ and the need for Methyl Bromide is as critical as ever. The Protocol provides for an exemption from the phase-out deadline.

The United States has applied for three Critical Use Exemptions since 2003. The lead agencies—EPA, USDA, and the State Department—are somewhat comfortable with the application process. The private sector, on the other hand, believes that international parties may be using the Protocol and the Critical Use Exemption process as a way to gain a competitive edge on the U.S. agricultural industry. Both agree, however, that there is considerable room for improvement, especially in the areas of transparency, predictability, and timeliness of the rulemaking process.

This hearing examined the Critical Use Exemption application process and whether U.S. interests were adequately protected. Additionally, this hearing addressed: a) whether U.S. interests are served by the Critical Use Exemption process; b) whether, through the Critical Use Exemption process, the Protocol itself strikes the right balance between safeguarding the environment and protecting the U.S. agricultural economy; c) whether, and to what extent, new legislation is necessary to facilitate the EPA rulemaking process; and d) whether it is possible to achieve transparency and predictability in the Critical Use Exemption process through "multi-year" legislation.

b. *Witnesses.*—William Wehrum, Acting Assistant Administrator for Air and Radiation, U.S. Environmental Protection Agency;

²Developing nations are exempt from the January 1, 2005 deadline.

³There are a number of proposed alternatives, but none reaches the effectiveness level of Methyl Bromide.

Michelle Castellano, vice president, Mellano and Co. (San Luis Rey, CA); James Bair, vice president, North American Millers' Association; and David Doniger, senior attorney, National Resources Defense Council.

11. *"Natural Gas Royalties: The Facts, The Remedies" March 1, 2006*

a. Summary.—Serious concerns have arisen regarding the implementation of the Federal Government's natural gas royalty payment program. Recent news reports suggest that the government may be unable to collect anywhere from \$7 billion to \$28 billion in natural gas royalties from leases of Federal land and waters. This is particularly troublesome at a time when natural gas companies are continuing to post record earnings. There are several areas of concern.

The first is whether some gas companies have failed to fulfill their contractual obligations to make royalty payments to the Department of the Interior. There is confusion surrounding figures the industry has supplied to the Interior Department, the accounting methods of the Interior Department, and the degree of oversight provided by the Minerals Management Service. There is a question whether the U.S. Government may have been underpaid in excess of \$700 million worth of royalties in 2005 on this basis alone.

Second, there is concern that the United States could be excluded from billions of royalties resulting from the Deep Water Royalty Relief Act (the "Act"). The act was enacted to provide an incentive to gas companies to explore and extract oil and natural gas from U.S. waters. This would be accomplished by allowing the Secretary of the Interior and oil and gas companies, between 1996 and 2000, to enter into leases with a defined volume suspension and price threshold so that companies would be able to recover their capital investment before having to pay royalties on their gross revenues. This came at a time when oil and gas prices were low and the interest in deep water drilling was lacking. However, during 1998 and 1999, price thresholds were not included as terms of the leases, thereby allowing companies to recoup their capital investment long before the expiration of volume suspensions. As these wells are now beginning to reap billions in gross revenues because of record gas prices, the effects of the price threshold-free language are coming to fruition. As a result, the United States may be unable to claim part of the billions in gross revenues for the years 1998 and 1999.

This is exacerbated by threatened litigation from Kerr-McGee Exploration and Development, a major industry player. Kerr-McGee maintains that the language of the act does not grant the Secretary of the Interior the authority to impose price thresholds and that it is not required to pay any royalties based on price thresholds for leases entered into between the years 1996 and 2000. If Kerr-McGee is handed a favorable ruling, it could ultimately force the U.S. Government to refund approximately \$525 million in royalties to the industry, and preclude it from collecting

between \$18 and \$28 billion over the next 5 years on leases entered into between 1996 and 2000.⁴

This oversight hearing attempted to ascertain the facts and explore remedies to assure that the U.S. Government receives royalties to which it is entitled. Additionally, this hearing investigated: a) whether the Interior Department's accounting and oversight practices are adequate and transparent; b) whether the Deep Water Royalty Relief Act is being interpreted and implemented according to the policy it sought to promote; c) whether leases entered into during 1998 and 1999 are in accordance with the policy promoted by the Deep Water Royalty Relief Act; and d) whether, and in what amount, the U.S. Government is owed royalty payments from natural gas companies that drill pursuant to Federal land and water leases.

b. *Witness.*—Walter Cruickshank, Ph.D., Deputy Director, Minerals Management Service, Department of the Interior.

12. *"Strengthening the Nation's Water Infrastructure: The Army Corps of Engineers' Planning Priorities," March 15, 2006*

a. *Summary.*—The Army Corps of Engineers (the Corps) is a Federal agency in the Department of Defense with military and civilian responsibilities. At the direction of Congress, the Corps plans, builds, operates, and maintains a wide range of water resources facilities in U.S. States and territories. The agency's traditional civil responsibilities are creating and maintaining navigable channels and controlling floods. In the last two decades, Congress has increased the Corps' responsibilities in ecosystem restoration, municipal water and wastewater infrastructure, disaster relief, and other activities. Congressional direction comes primarily through authorization and appropriations legislation and oversight activities.

The Water Resources Development Act [WRDA], a frequent reauthorization, is a more than \$10 billion spending bill that authorizes many Corps infrastructure projects. The contents of each WRDA are cumulative and new acts do not supercede or replace previous acts. WRDA and the corresponding appropriations bill are packed with earmarks and directives given to the Corps on how to carry out activities. Funds appropriated are invariably less than authorized Corps projects. As a result, the Corps is challenged to meet a great number of competing priorities and mandates with limited funds. In response, the Corps has chosen to serially reprogram funds and move them from project to project on what may be viewed as either a "just-in-time" or "seat-of-the-pants" basis.

The Corps has also been under scrutiny since 2000 due to a series of investigative articles by the Washington Post, an Army Inspector General's report, and a National Academies of Science study that asserted Corps' planning deficiencies and oversight were resulting in unjustified projects moving forward in the approval process. A number of Government Accountability Office studies have raised questions regarding Corps' planning processes, priority-setting, and financial management. In response, the Corps has

⁴It must be noted that Kerr-McGee does not challenge the legality of imposed thresholds contained in the leases after 2001.

recently moved forward with an aggressive plan to address these deficiencies, update its planning and business practices, be more collaborative, and better match its changing civil works mission.

The Corps' challenges are extremely important to the strength of infrastructure of the United States. Existing water infrastructure is a result of the priority-setting, decisions, and projects constructed in decades past. For decades to come, infrastructure priorities set today will impact commerce, economic growth, electricity generation, the health of wetlands and ecosystems, and, most importantly, the safety of communities dependent on the Corps for flood protection. Because the level of Corps' funding is a persistent issue, it is all the more important that the operations of the Corps are efficient and result in the most benefit for every dollar spent.

This hearing examined how the Corps' sets its priorities and seeks to improve its planning processes and economic analysis. A well-functioning Corps is required to ensure that projects are economically justified and produce their intended effects, and that the civil works program strengthens the Nation's critical infrastructure. This hearing also addressed: a) whether the Corps' efforts to improve its planning processes are adequate; b) the steps being taken to ensure there is effective oversight of the reprogramming of funds; c) how the Corps set its priorities in a challenging fiscal environment; and d) how Congress can better ensure that the Nation's critical water infrastructure needs are met.

b. Witnesses.—Douglas W. Lamont, Deputy Assistant Secretary of the Army (Project Planning); Anu Mittal, Director, Natural Resources and Environment, Government Accountability Office; Steve Ellis, vice president, Taxpayers for Common Sense; and S. Elizabeth Birnbaum, vice president, American Rivers.

13. *"Conjunctive Water Management: A Solution to the West's Growing Water Demand?" April 5, 2006*

a. Summary.—Booming population growth in Western States during recent decades has intensified the need for a more efficient water supply management system. Western States have long suffered from water supply challenges due to their arid climates. In response, several methods have been employed to maximize water supply, such as conservation programs and the building of new dams and desalination plants. Despite these methods, water supply and infrastructure, particularly in California, are vulnerable to an impending crisis. The California Department of Water and Resources [DWR] estimates that if the current trend of population growth continues, California will need an additional 1–2 million acre-feet of water per year by 2030 to meet demand. There is, however, a management system that may provide a solution to California's challenges as well as those of other Western States.

Experts propose that conjunctive water management is the leading and most effective method for resolving water supply challenges. Conjunctive water management is the method by which surface and ground water are stored in reservoirs and below-ground aquifers for distribution during dry months. Though this method would nearly double the amount of on-demand water supply, the implementation of conjunctive water management raises several areas of concern. The first concern is whether existing wa-

terways can support a switch to conjunctive water management. As it stands, a move to conjunctive water management would require a tremendous amount of investment to retrofit existing infrastructure and storage facilities. The second concern is whether the States have the necessary resources to build and maintain a conjunctive water management program. A comprehensive conjunctive water management system would require massive funding for maintenance and qualified personnel to manage and maintain the proper facilities.

Another important concern is the environmental impact of implementing a conjunctive water management system. For instance, an aquifer could be rendered useless if the surface water that was pumped into it was contaminated by foreign molecules such as salt. Since most water used for irrigation purposes is not filtered, contaminated water could be detrimental to agriculture. Moreover, as a practical matter, the construction of waterways and storage facilities will undoubtedly disturb wildlife habitats. As such, any construction must conform to State, local, and Federal environmental laws. These concerns, taken together, raise the larger issue of whether, and to what extent, the Federal Government should be involved in the design, funding, or implementation of a conjunctive water management system.

This hearing addressed: a) the conjunctive water management projects that are currently being implemented; b) the benefits and shortcomings of a conjunctive water management system; and c) the extent to which the Federal Government should be—or in the very least is compelled to be—involved in the design, funding or implementation of a conjunctive water management system.

b. Witnesses.—Jason Peltier, Deputy Assistant Secretary for Water and Science, Department of Interior; P. Joseph Grindstaff, director, California Bay-Delta Authority; and Anthony J. Pack, general manager, Eastern Municipal Water District, Perris, CA.

14. “Energy as a Weapon: Implications for U.S. Policy” May 16, 2006

a. Summary.—Tight global market conditions have led to record-high petroleum prices. The current situation is largely demand-driven due to economic growth and increased demand from Asia and the United States. There is little or no spare production capacity in the world market, and any event perceived to have an impact on the market causes extreme concern and high volatility in prices. As a result, the United States is more vulnerable to a catastrophic supply shock than at any time in recent memory, especially considering the current geopolitical environment.

A noted expert has postulated that “a slow-motion supply shock” may already be taking place in the world system. About 2.2 million barrels per day [mbd] is currently out of production due to a variety of factors in different producing countries. While small in terms of the 85 mbd world oil market, it is especially significant because of the tight global supply and demand balance.⁵

⁵David Wessell, “Oil Shock in Slow Motion,” Wall Street Journal, 5/11/06. Dr. Daniel Yergin, chairman of Cambridge Energy Research Associates, made the observation.

In addition, many countries are dependent on natural gas for critical industries, home heating, and electricity generation. Natural gas dependence and its increasing cost are important to the United States, of grave concern to Europe, and are a source of sudden consternation in South America. Unlike the world market for crude oil, natural gas markets are fragmented according to pipeline connectivity, and a truly global Liquefied Natural Gas spot market remains years away. Like the global petroleum market, regional natural gas markets are vulnerable to political machinations.

There have been a number of disturbing trends shaping a new pattern of energy geopolitics. Chief among them is the use of energy as a “weapon” by producing countries such as Russia and Iran—whether as a threat or an actual cut-off in supplies to consuming countries. Next, the expropriation of energy assets or forced renegotiation of existing concessions in South America is likely to have wide-ranging impacts. Finally, the pursuit of “mercantilist” strategies to secure energy through long-term, State-to-State agreements—e.g. China—distorts markets and investment, and helps to create an atmosphere of antagonistic international competition for energy.

This hearing assessed the implications of these developments and the challenges they present to the United States. Bearing these challenges in mind, this hearing also examined how U.S. policies aim to protect vital national interests and the security of the U.S. economy and the effects of using “energy as a weapon” on world and domestic markets. Further, the hearing examined: a) the effects of energy being used as a weapon on world and domestic markets, and how its use affects energy security; b) how government agencies are working together to meet the challenges presented by “energy as a weapon,” nationalization, and mercantilism; c) what the Department of State and the Department of Energy are doing to promote private investment and unobstructed trade in critical energy supplies; and the ways the United States is working with the international community and other countries to address a potentially catastrophic supply disruption.

b. Witnesses.—Karen Harbert, Assistant Secretary for Policy and International Affairs, U.S. Department of Energy; Paul Simons, Deputy Assistant Secretary for Energy, Sanctions, and Commodity Policy, U.S. Department of State; Dr. Daniel Yergin, chairman, Cambridge Energy Research Associates; Ambassador Keith C. Smith, senior associate, Center for Strategic and International Studies; and David Goldwyn, Goldwyn International Strategies.

15. *“Keeping the Fuel Flowing from the Gulf: Are We Prepared for the Hurricane Season?” June 7, 2006*

a. Summary.—In the aftermath of Hurricanes Katrina and Rita in 2005, oil and natural gas production from the Gulf of Mexico were “shut-in” or offline for months; pipelines and refineries were shut down; some retail gas stations ran short of fuel in other parts of the country due to delays and shortfalls in deliveries; and the prices for oil, refined products, and natural gas skyrocketed. Some areas of the country were within days of widespread supply shortages of refined products such as gasoline, aviation, and diesel fuel.

It was only through great ingenuity and sacrifice by personnel from government and industry that significant shortages did not occur.

For the 2006 Atlantic hurricane season, the National Oceanic and Atmospheric Administration [NOAA] is predicting 13 to 16 named storms, with 8 to 10 becoming hurricanes, of which 4 to 6 could become major hurricanes of Category 3 strength or higher. According to meteorologists at Colorado State University, there is an average 38 percent chance of the area from the Florida panhandle westward to Brownsville, TX, being hit by a Category 3, 4, or 5 hurricane in 2006.

The Gulf of Mexico region is critical to the Nation's economic growth because it is the backbone of our energy infrastructure. According to the Federal Reserve Bank of Dallas' Houston Branch, 26.4 percent of the Nation's domestic crude oil production and 21.3 percent of natural gas production takes place in the Gulf of Mexico. Almost 40 percent of the Nation's crude oil refining capacity is located on the Gulf Coast.

Clearly, the Federal Government and the petroleum and natural gas industries must apply crucial lessons learned from last year, and the private energy sector must be prepared to coordinate with the Federal and local governments in times of crisis. With the current U.S. average gasoline price already exceeding \$2.90 per gallon, the implications of not meeting the 2006 preparedness challenge would be disastrous.

This hearing examined how industry and government were prepared to transport and deliver fuel supplies from the Gulf of Mexico to where they were needed this past hurricane season. Further, this hearing addressed: a) whether the government and the energy industry were prepared to meet the fuel supply challenges of the 2006 hurricane season; b) the status of fuel production and inventories entering the summer and hurricane seasons; the lessons learned from the hurricanes of 2005, and how they were incorporated into planning and best practices for 2006; c) how the Federal Government and private industry are coordinating with each other, as well as with State and local governments; and d) the measures the government and industry are taking to address preparedness for the long-term.

b. Witnesses.—General David L. Johnson, director, National Weather Service, NOAA; Guy Caruso, Administrator, Energy Information Administration; Admiral Thomas Barrett, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; Robert Greco, group director of upstream and industry operations, American Petroleum Institute; and Tyson Slocum, energy program research director, Public Citizen.

16. *“Deep Water Royalty Relief: Mismanagement and Cover-Ups,”*
June 21, 2006

a. Summary.—The subcommittee continued its investigation regarding the absence of price thresholds in deepwater leases entered into between the Department of the Interior and various oil and gas companies during 1998 and 1999. The Government Accountability Office estimates that the lack of price thresholds will cost the U.S. Government upwards of approximately \$10 billion in lost revenue. Over the past few months, the subcommittee staff has re-

viewed the documentation surrounding nearly every aspect of the lease creation process. This includes an examination of the regulations, leases, lease sale documentation, decision memoranda, and bureaucratic processes. Moreover, the subcommittee staff has interviewed individuals intimately familiar with all levels of the lease sale process. What has surfaced is a trail of irresponsibility and gross mismanagement.

This investigation has revealed that the problem began in 1995 when the Interior Department promulgated inadequate regulations. These regulations, which delineate the lease sale process and royalty relief scheme, did not include price thresholds. Instead of correcting those regulations, the Department applied a series of “bandaids” that never stopped the bleeding. This irresponsible behavior may have culminated in a cover-up that only perpetuated the problem. The purpose of this hearing was to ascertain how these egregious errors occurred and who is responsible for them.

b. Witnesses.—Milo Mason, Attorney, Department of the Interior; Geoffrey Heath, Attorney, Department of the Interior; Peter Schaumberg, attorney, formally with the Department of the Interior, now in private practice with Beveridge Diamond PC; Shell Oil Corporation: John Hofmeister, president of U.S. Operations; ConocoPhillips Co.: Randy Lindbacher, executive vice president, Exploration and Productions of the Americas; ExxonMobil Corp.: A. Tim Cejka, president of Exxon Exploration Co.; Kerr-McGee Oil Corp.: Greg Pilcher, senior vice president, general counsel, and secretary; and Chevron Corp.: Paul Siegele, vice president for deep-water development, Gulf of Mexico.

17. *“Can the U.S. Electric Grid Take Another Hot Summer?” July 12, 2006*

a. Summary.—In May, the Federal Energy Regulatory Commission [FERC] released its Summer Energy Market Assessment 2006, which identified four major geographic areas with potentially critical supply scarcity issues. The areas are: Southern California; Long Island, NY; Southwest Connecticut; Ontario, Canada, which affects the U.S. States in the Great Lakes region. Each of these areas is particularly vulnerable to a hot summer and unplanned outages from local generators or import-related transmission of power from other regions. Each of the potential U.S. trouble spots was also identified in FERC summer assessments in 2004 and 2005.

Additionally, each of these areas is managed by an Independent System Operator [ISO], which is an independent, federally regulated entity established to coordinate regional transmission in a non-discriminatory manner and ensure the safety and reliability of the electric system. ISOs also oversee wholesale or bulk electricity markets and are involved in regional planning activities.

The potential for rolling blackouts and supply shortages in particular regions would have spillover effects and greater implications for the Nation’s electricity system. Furthermore, supply shortages would have a significant negative economic impact, especially taking into account that prices for power are already high.

This hearing examined FERC’s summer assessment as well as those of the ISOs for the affected regions. The hearing explored the steps FERC and the ISOs took to meet the challenges presented

last summer and what they are doing to address problems over the long term.

b. Witnesses.—Joseph T. Kelliher, chairman, Federal Energy Regulatory Commission; Yakout Mansour, president and CEO, California Independent System Operator; Mark S. Lynch, president and CEO, New York Independent System Operator; Pete Brandien, VP of System Operations, ISO New England; and Phyllis Currie, general manager, Pasadena Water and Power.

18. *“Hybrid Cars: Increasing Fuel Efficiency and Reducing Oil Dependence” July 20, 2006*

a. Summary.—Record oil and gasoline prices are magnifying the need for more fuel efficient automobiles. U.S. dependence on imported oil from unstable areas of the world and reliance on the hurricane-prone Gulf of Mexico region for refined petroleum products has reinforced the need to use fuels more efficiently. Almost 70 percent of oil consumed in the United States is used by the transportation sector.

Several technologies can help increase the fuel efficiency of the American auto fleet, and therefore increase energy security by reducing U.S. dependence on imported oil. Such technologies include bio-diesel fuel, hydrogen, ethanol, electric vehicles, and hybrid electric vehicles. However, many of these technologies are not yet cost effective or widely available. Increasing the number of hybrid electric vehicles on the road is one practical way to increase the fuel efficiency of the U.S. fleet in the near-term.

This hearing assessed the potential for hybrid vehicles to increase the overall fuel efficiency of the U.S. fleet and lessen the Nation’s dependence on imported oil, paying particular attention to issues regarding cost-effectiveness, market penetration, incentives, U.S. manufacturing capacity, and environmental benefits. This hearing addressed the following questions: a) what the potential benefits are, in terms of fuel consumption and emission reductions, of increasing the number of hybrid vehicles in the U.S. fleet; b) what advances in hybrid technology are expected and by when; c) the projected market share for hybrids in the short and long term; d) whether hybrid technology will become more cost competitive in comparison to conventional internal combustion technology; e) why the U.S. auto industry has lagged in developing hybrid cars; and f) what further actions the Federal and State governments can take to encourage consumers to purchase hybrid vehicles.

b. Witnesses.—Dr. Andrew Frank, director, University of California-Davis Hybrid Electric Research Center; David Hermance, executive engineer, Toyota Motor North America; John German, manager, Environmental and Energy Analyses, American Honda Motor Co.; and Don MacKenzie, vehicles engineer, Union of Concerned Scientists.

19. *“Royalty Relief and Price Thresholds III,” July 27, 2006*

a. Summary.—This subcommittee continued investigating the absence of price thresholds in deepwater leases between the Interior Department and various oil and natural gas producing companies during 1998 and 1999. The Government Accountability Office estimates that the lack of price thresholds will cost the U.S. Govern-

ment upwards of \$10 billion in lost revenue over the life of the leases. According to GAO, this loss is estimated at nearly \$2 billion to date.

Over the past 5 months, the subcommittee staff has reviewed documents surrounding nearly every aspect of the lease creation process. This includes an examination of the regulations, leases, lease sale documentation, decision memoranda, and bureaucratic processes. Moreover, the subcommittee staff has interviewed multiple witnesses, and Chairman Issa has conducted two oversight hearings at which individuals intimately familiar with the leasing process have supplied critical information.

The subcommittee staff believes it has identified the Department employees who may have been responsible for the genesis of the problem, and who were in the best position to have done something about it. Milo Mason, a Department attorney, revealed himself in the June 21st hearing as the person responsible for dispensing arguably inadequate legal advice. Upon his advice, the Secretary of the Interior promulgated regulations that did not include price thresholds. Moreover, Mr. Mason found out in 1999 that the leases signed in 1998 and 1999 did not contain price thresholds, yet he failed to formally notify the Department in writing or take corrective measures.

The subcommittee staff has since determined that information supplied by Chris Oynes, Gulf of Mexico Regional Director, appears to be inconsistent with other evidence obtained by the subcommittee. Mr. Oynes, who signed 668 of the 1,100 leases during 1998 and 1999, told subcommittee staff during an interview that he did not know about the missing price thresholds until 2000. Chevron Corp. officials informed the subcommittee that two of its employees notified Mr. Oynes and his staff of the missing price thresholds several times throughout 1998 and 1999. If the latter is true, Mr. Oynes and his staff could have saved the U.S. Government at least \$5 billion had they immediately rectified the problem.

Accordingly, the purpose of the July 27th hearing was to question Mr. Oynes, his Deputy, and the two Chevron employees who maintain they notified the Department of the problematic leases. Mr. Oynes signed 668 deepwater leases during 1998 and 1999 and was in the best position to know of the problem and take corrective measures. Alas, the American people are now unnecessarily burdened with this unprecedented \$10 billion loss.

b. Witnesses.—J. Keith Couvillion, deepwater land manager, Chevron North America Exploration and Production Co., a Division of Chevron U.S.A., Inc.; Gordon R. Cain, deepwater land manager, Chevron North America Exploration and Production Co., a Division of Chevron U.S.A., Inc.; Chris Oynes, Regional Director, Gulf of Mexico, Minerals Management Service; and Charles Shoennagel, Deputy Regional Director, Gulf of Mexico, Minerals Management Service.

20. *“Interior Department: A Culture of Managerial Irresponsibility and Lack of Accountability?” September 13, 2006*

a. Summary.—This subcommittee continued investigating the absence of price thresholds in deepwater leases between the Interior Department’s Minerals Management Service and various oil and

natural gas producing companies during 1998 and 1999. The Government Accountability Office estimates that the lack of price thresholds will cost the U.S. Government upwards of \$10 billion in lost revenue over the life of the leases. According to GAO, this loss is estimated at nearly \$2 billion to date.

Over the past 7 months, the subcommittee staff has reviewed documents surrounding nearly every aspect of the lease creation process. This includes an examination of the regulations, leases, lease sale documentation, decision memoranda, and bureaucratic processes. Moreover, the subcommittee staff has interviewed multiple witnesses, and Chairman Issa has conducted three oversight hearings at which individuals intimately familiar with the leasing process have supplied critical information.

There is every indication that carelessness and irresponsibility contributed to this unprecedented loss to the American people. Professional negligence, however, is not peculiar to the Minerals Management Service.

In addition to its investigation which mirrors the subcommittee's, the Interior Department's Office of the Inspector General has investigated numerous alleged infractions involving Department employees. The OIG reluctantly posits that the Department suffers from an institutionalized culture of managerial irresponsibility and a general lack of accountability.

Interior Inspector General Earl E. Devaney testified about the results of his investigation into the missing price thresholds, as well as the culture that, at times, undermines the integrity of the Interior Department.

This is a matter of paramount concern in light of Chevron's recently announced new discovery in the OCS Gulf of Mexico region that may include leases signed in 1998 and 1999.

b. Witness.—Interior Department Inspector General Earl E. Devaney.

21. *"The Next Generation Nuclear Plant and Hydrogen Production: A Critical Status Report," September 20, 2006*

a. Summary.—In January 2006, Chairman Issa requested that the Government Accountability Office complete a study to assess the Department of Energy's [DOE] progress in meeting its schedule for design and construction of the Next Generation Nuclear Plant [NGNP] by 2021, as well as DOE's approach to ensure the commercial viability of the project. An operational NGNP will demonstrate advanced, next generation technologies for generating electricity and producing hydrogen on a large-scale for use in fuel cells for automobiles and the transportation sector.

The Energy Policy Act of 2005 set additional requirements and milestones for completion of the NGNP, including the selection of design parameters in 2011. In addition, the NGNP will require a license for construction and operation from the Nuclear Regulatory Commission, and DOE and the NRC must jointly submit a licensing strategy to Congress in 2008. Research and development work on the NGNP are being conducted primarily at the Idaho National Laboratory.

Of particular concern in the NGNP project is the development of a number of technologies that will ensure project milestones are

met and construction will be completed on schedule. Meeting the timetable provides a high probability—but not a guarantee—that the demonstration plant will be of use to the private sector and not overtaken by other commercial technologies that may be developed sooner.

In addition, delays in meeting milestones will call into question the decision for continued support of the NGNP considering other nuclear priorities such as the Nuclear 2010 and Global Nuclear Energy Partnership programs that require considerable Federal financial support.

This hearing coincided with the release of the GAO study and assessed the progress and outlook for successful completion of the NGNP. Issues addressed at this hearing included: a) what the technological challenges are to completing the NGNP; b) whether the Department of Energy and the Idaho National Laboratory can meet the completion deadline, and whether the plan sufficient to meet the goals of the NGNP; and c) whether the technologies utilized in the NGNP will be commercially feasible and meet the needs of the private sector.

b. Witnesses.—Jim Wells, Director, National Resources and Environment, Government Accountability Office; Phil Hildebrandt, Idaho National Laboratory, special assistant to the Laboratory director; and Dr. Andrew Kadak, professor, Nuclear Science and Engineering Department, Massachusetts Institute of Technology.

22. *“Rebalancing the Carbon Cycle,” September 27, 2006*

a. Summary.—In 2004, the United States emitted about 5.7 billion more tons of carbon dioxide than could be processed by natural systems, such as trees, soils, and oceans. As a result, concentrations of carbon dioxide in the atmosphere are rising, potentially increasing the risk of climate change. The carbon cycle, or the flow of carbon between the atmosphere, land, oceans, and plants, could be rebalanced by (1) emitting less carbon dioxide by burning less fossil fuels, and (2) capturing and storing carbon dioxide produced by burning fossil fuels. A diverse range of approaches are necessary to rebalance the carbon cycle, including improved energy efficiency and the production of more electricity with nuclear power and renewable resources.

This hearing addressed what the Federal Government is doing to rebalance the carbon cycle including: a) what the Federal Government is doing to learn about the carbon cycle; and b) what the Federal Government is doing to reduce anthropogenic carbon emissions.

Further, examining the carbon cycle science the hearing addressed: a) what we do and don’t know about the carbon cycle; b) how the carbon cycle is changing in the United States, and why; and c) what is the potential significance of these changes? Additionally, this hearing assessed: a) what the strengths and weaknesses of different technologies to reduce carbon emissions are; and b) how Federal Government programs address what is and is not known about the carbon cycle.

b. Witnesses.—John B. Stephenson, Director, Natural Resources and Environment, Government Accountability Office; Dr. Roger C. Dahlman, co-chair, Interagency Carbon Cycle Working Group, Cli-

mate Change Science Program; Stephen D. Eule, director, U.S. Climate Change Technology Program; Dr. Gregg Marland, Ecosystems Science Group, Environmental Sciences Division, Oak Ridge National Laboratory; Dr. Steven C. Wofsy, Abbott Lawrence Rotch professor of atmospheric and environmental chemistry, Harvard University; and Dr. Daniel A. Lashof, science director, Climate Center, Natural Resources Defense Council.

IV. SUBCOMMITTEE ON FEDERALISM AND THE CENSUS

1. *“Strengthening America’s Communities: Is It the Right Step Toward Greater Efficiency and Improved Accountability?” March 1, 2005*

a. Summary.—This hearing was the first in a series on HUD’s CDBG program. In its fiscal year 2006 Budget proposal, the Bush administration recommended eliminating the CDBG program along with 17 other direct community and economic development programs and merge them into a single program known as the Saving America’s Communities Initiative [SACI]. The hearing provided Members the opportunity to question directly the principal architects of the SACI proposal as well as representatives from various stakeholder groups.

b. Witnesses.—Roy Bernardi, Deputy Secretary of the Department of Housing and Urban Development; David Sampson, Assistant Secretary of Commerce for Economic Development; Clay Johnson III, OMB Deputy Director for Management; Don Plusquellic, president, U.S. Conference of Mayors; Angelo Kyle, president, National Association of Counties; LaShea Smith, National Community Development Association and National Association for County Community and Economic Development; and James C. Hunt, second vice president, National League of Cities.

2. *“Lands of Lost Opportunity: What Can Be Done to Spur Redevelopment at America’s Brownfield Sites?” April 5, 2005*

a. Summary.—The purpose of this hearing was to examine the state of designated brownfields sites across America. According to the Government Accountability Office [GAO], there are an estimated 450,000 to 1 million abandoned or underutilized brownfields sites. The hearing gave Members the opportunity to question experts on the topic of Brownfields about the impediments to brownfields redevelopment. Moreover, Members were able to ascertain which incentives encourage redevelopment activity. The subcommittee also examined the possible effects legislation similar to H.R. 4480 from the 108th Congress would have on redevelopment activity.

b. Witnesses.—Thomas Dunne, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency; John Stephenson, Director, Natural Resources and Environment, Government Accountability Office; Don Plusquellic, president, U.S. Conference of Mayors; James Maurin, chairman, International Council of Shopping Centers; Jonathan Phillips, senior director, Cherokee Investment Partners, LLC; and Douglas Steidl, president, the American Institute on Architects.

3. *“Halfway to the 2010 Census: The Countdown and Components to a Successful Decennial Census,” April 19, 2005*

a. *Summary.*—At the midway point to the 2010 decennial census began a series of hearings to explore how the Census Bureau is preparing for the count. The decennial census is the largest peacetime mobilization of temporary workers for a Federal agency. The hearing provided the subcommittee with the opportunity to examine the three key components to the upcoming decennial census: the American Community Survey, the Master Address File/TIGER Enhancements Program, and a short-form only census. Members were better able to understand the role and importance of each for the implementation of a successful census.

b. *Witnesses.*—Kathleen Cooper, Under Secretary for Economic Affairs, U.S. Department of Commerce; Charles Louis Kincannon, Director, U.S. Census Bureau; Joan Naymark, director of research and planning, Target Corp.; Dr. Andrew Reamer, deputy director, Urban Markets Initiative, Brookings Institution; and Jacqueline Byers, director of research, National Association of Counties.

4. *“The 1970’s Look: Is the Decades-Old Community Development Block Grant Formula Ready for and Extreme Makeover?” April 26, 2005*

a. *Summary.*—The purpose of this oversight hearing was to examine how CDBG funds are spent and whether Congress or HUD can introduce meaningful performance measures as a tool to promote greater accountability within the program and among its grantees. A primary justification cited by the administration for its Strengthening America’s Communities Initiative [SACI] proposal is that CDBG and 17 other programs encompassed by SACI scored very low on OMB’s Program Assessment Rating Tool [PART]. Many stakeholders have argued that CDBG’s low PART score can be attributed to the tool’s lack of proper assessment matrix tools to score block grant programs appropriately. Stakeholders also have argued that it may be impossible to effectively measure the CDBG program because of its multifaceted nature and because its moneys can be spent on a wide variety of “non-tangible” benefits.

b. *Witnesses.*—Roy Bernardi, Deputy Secretary, U.S. Department of Housing and Urban Development; Paul Posner, Director, Federal Budget and Intergovernmental Relations, Government Accountability Office; Jerry Fastrup, Assistant Director, Applied Research and Methods, Government Accountability Office; and Saul Ramirez, executive director, National Association of Housing and Redevelopment Officials.

5. *“Life In the Big City: What Is Census Data Telling Us About Urban America? Are Policymakers Really Listening?” May 10, 2005*

a. *Summary.*—The subcommittee reviewed Census data in an effort to understand better what that data reveals about urban America. Subcommittee members were able to question Census officials and eventual data users utilize census data when making on everything from resource allocation to business development.

b. *Witnesses.*—Charles Louis Kincannon, Director, U.S. Census Bureau; Thomas Dowd, Deputy Assistant Secretary, Employment

and Training Administration, U.S. Department of Labor; Marc Morial, president, National Urban League; Paul Farmer, executive director and CEO, American Planning Association/American Institute of Certified Planners; Mitchell Silver, deputy director, Long Range Planning, District of Columbia Office of Planning; and Audrey Singer, immigration fellow, metropolitan policy, the Brookings Institution.

6. *"The Ohio Experience: What Can Be Done to Spur Brownfield Development in America's Heartland?" May 16, 2005 (Cleveland, OH)*

a. Summary.—The second in a series, the purpose of this oversight hearing was to examine the condition of designated brownfields sites in the State of Ohio. According to the Government Accountability Office [GAO], there are an estimated 450,000 to 1 million abandoned or underutilized brownfields sites. One can find many of these sites are in States that manufacturing companies once dominated. A significant number of these are now either defunct or have been abandoned. The subcommittee investigated the impediments to brownfields redevelopment and possible incentives to encourage redevelopment activity. Finally, the subcommittee considered what the impact might be of legislation similar to H.R. 4480, which Representative Turner introduced in the 108th Congress.

b. Witnesses.—Joseph Dufficy, Chief of the Brownfields and Early Action Section, Environmental Protection Agency, Region V; Amy Yersavich, manager, Voluntary Action Program, Ohio EPA; Frank Sarosy, mayor, Village of Fairport Harbor, Ohio; Daniel Pocek, mayor, city of Bedford, OH; Tracy Nichols, assistant director for economic development, Cuyahoga County, OH; Casey Stephens, manager, public services, brownfield coordinator, Division of Environmental Services, city of Toledo, OH; Alex Machaskee, president and publisher, the Plain Dealer; Todd Davis, CEO, Hemisphere Development, LLC.; Thomas Stone, executive director, Mt. Pleasant NOW Development Corp.; Barry Franz, principal engineer, Civil and Environmental Consultants, Inc.; Craig Kasper, CEO, Hull and Associates, Inc.; Kevin O'Brien, executive director, Great Lakes Environmental Finance Center, Maxine Goodman Levin College of Urban Affairs, Cleveland State University.

7. *"Bringing Community Development Block Grant Programs Spending into the 21st Century: Introducing Accountability and Meaningful Performance Measures into the Decades-Old CDBG Program," May 24, 2005*

a. Summary.—Third in a series, the purpose of this oversight hearing was to examine how CDBG funds are spent and whether Congress or HUD can add meaningful performance measures to the program to promote greater accountability among its grantees. The subcommittee specifically examined: (1) how communities spend CDBG money (2); whether the funds are effectively targeted toward the needs identified in the program's authorizing legislation; and (3) how, if at all, these expenditures can be measured for effectiveness.

b. Witnesses.—Roy Bernardi, Deputy Secretary, U.S. Department of Housing and Urban Development; Ron Schmitt, council member, city of Sparks, NV; Thomas Downs, fellow, National Academy of Public Administration; Lisa Patt-McDaniel, assistant deputy director, Community Development Division, Ohio Department of Development on Behalf of COSCDA; and Shelia Crowley, president, National Low Income Housing Coalition.

8. *“Revitalizing Communities: Are Faith-Based Organizations Getting the Federal Assistance They Need?” June 14, 2005*

a. Summary.—The purpose of this oversight hearing was to examine how faith-based organizations accomplish community revitalization. The subcommittee focused on the President’s Faith-Based Initiative as outlined in various Executive orders. The subcommittee also reviewed the role Federal agencies play in assisting faith-based organizations. Moreover, the subcommittee investigated the successes and impediments to redevelopment of cities, via services and infrastructure improvements provided by faith-based organizations. Finally, the subcommittee reviewed past and current legislative efforts in this arena especially H.R. 1054, a bill by Congressman Mark Green, to establish an office of faith-based and community initiatives.

b. Witnesses.—Ryan Streeter, Director, Office of Faith-Based Initiatives, U.S. Department of Housing and Urban Development; Terri Hasdorff, executive director, Alabama Governor’s Office of Faith-based and Community Initiatives; Thomas Knox, chairman of the Board of Directors, We Care America; Sister Rose Wildenhaus, St. Mary Development Corp.; Mark Howard, general counsel, World Vision; and Reverend Michael Jones, Friendly Temple Missionary Baptist Church, Robert Fulton Development, Inc.

9. *“The Pittsburgh Experience: How has the Community Development Block Grant Program Shaped the Steel City?” July 18, 2005 (Pittsburgh, PA)*

a. Summary.—This hearing was a continuation of the subcommittees examination of the Community Development Block Grant Program. This field hearing explored the impact of the CDBG program on Pittsburgh, PA and the surrounding communities. The subcommittee heard from local stakeholders involved in administering the CDBG program as well as those who benefit from its uses.

b. Witnesses.—Pamela Hughes Patenaude, Assistant Secretary, Office of Community Planning and Development, U.S. Department of Housing and Urban Development; Dorothy Kelly, councilwoman, Borough of Carnegie; Diana Irej, county commissioner, county of Washington; Stanley “Lou” Gorski, executive director, South Hills Area Council of Governments; William McGowen, executive director, Redevelopment Authority of the county of Washington; William Mitchell, assistant director of planning and development, Westmoreland County Industrial Development Corp.; and Diana Reitz, community development coordinator, city of Jeannette, PA.

10. *"The New York City Experience: How has the Community Development Block Grant Program Shaped the Big Apple?" July 25, 2005 (Thurgood Marshall Academy, NYC)*

a. *Summary.*—The final hearing in a series, the subcommittee examined the Community Development Block Grant Program and its impact on New York City. The subcommittee heard from local stakeholders involved in administering the CDBG program as well as those who benefit from its uses.

b. *Witnesses.*—Michael Bloomberg, mayor, city of New York; F. Carlisle Towery, president, Greater Jamaica Development Corp.; Ronay Menschel, chair of the Board of Directors, Phipps Houses; Mark Willis, executive vice-president, JPMorgan Chase; Andrew Reicher, executive director, Urban Homesteading Assistance Board; Reverend Dr. Calvin O. Butts, pastor, Abyssinian Baptist Church; Chris Kui, executive director, Asian Americans for Equality; and Dr. Ingrid Gould Ellen, associate professor of public policy and urban planning, New York University Furman Center for Real Estate.

11. *"Brownfields and the 50 States: Are State Incentive Programs Capable of Solving America's Brownfields Problem?" September 13, 2005*

a. *Summary.*—The third in a series, the purpose of this oversight hearing was to examine how the various States handle the problems associated with Brownfields and whether State incentive programs are enough to solve the Nation's brownfields problem. The subcommittee further explored how well State incentive programs are working and what the Federal Government can do to augment these efforts.

b. *Witnesses.*—Charles Bartsch, senior policy analyst, Northeast Midwest Institute; Kathleen McGinty, secretary, Pennsylvania Department of Environmental Protection; John Magill, director, Office of Urban Development, Ohio Department of Development; Douglas Scott, director, Illinois Environmental Protection Agency; Andrew Hogarth, chief, Remediation and Redevelopment Division, Michigan Department of Environmental Quality; Robert Colangelo, executive director, National Brownfield Association; Jonathan Philips, senior director, Cherokee Investment Partners, LLC.; Charles Houder, director of acquisitions, Preferred Real Estate Investments, Inc.; and Kevin Matthews, director of association and government relations, AIG Environmental.

12. *"The Challenge of Brownfields: What are the Problems and Solutions in Redeveloping Pennsylvania's Lehigh Valley Communities?" October 25, 2005 (Lehigh University, Bethlehem, PA)*

a. *Summary.*—This hearing was a continuation of the subcommittee's examination of Brownfield redevelopment. This field hearing will explore the impact of Brownfields in the Lehigh Valley area of Pennsylvania and what State and Federal programs are available for redevelopment efforts. The subcommittee heard from Federal, State and local stakeholders involved in Brownfield redevelopment.

b. *Witnesses.*—Abraham Ferdas, Director, Hazardous Site Cleanup Division, U.S. Environmental Protection Agency, Region III; Eu-

gene DePasquale, deputy secretary for community revitalization and local government support, Pennsylvania Department of Environmental Protection; Jim Seif, vice president, Corporate Relations, PPL Corp.; Paul Schoff, esq., Feinberg and Schoff, LLP., CEO of Brownfield Realty, Ltd.; Robert Colangelo, executive director, National Brownfield Association; Kerry Wrobel, president, Lehigh Valley Industrial Park, Inc.; Chad Paul, Jr., CEO, Ben Franklin Technology Partners; Ray Suhocki, president and COO, Lehigh Valley Economic Development Corp.; Stephen Donches, president, National Museum of Industrial History; and Doug Michaels, president and CEO, OraSure Technologies, Inc.

13. *“Historic Preservation vs. Katrina: What Role Should Federal, State and Local Governments Play in Preserving Historic Properties Affected by this Catastrophic Storm?” November 1, 2005*

a. Summary.—The purpose of this policy hearing was to examine what roles the Federal, State and local governments should play in the preservation of historic properties in the areas affected by Hurricane Katrina. The National Trust for Historic Preservation has stated that the Hurricane Katrina impacted areas on New Orleans and the Mississippi Gulf Coast contain one of the largest concentrations of historic properties in the United States. The Congress recognized the historic importance of the region as recently as December 2004 by officially designated the Mississippi gulf area as a National Heritage Area. It is clear that the damage to historic properties in the area has been massive. This hearing provided members of the subcommittee with a fresh perspective on the historic preservation challenges resulting from Hurricane Katrina. Moreover, Members gained a better understanding how Federal, State and local governments can respond to disasters with regard to preserving historic structures and communities.

b. Witnesses.—Mitchell Landrieu, Lieutenant Governor, State of Louisiana; H.T. Holmes, director, Mississippi Department of Archives and History; Derrick Evans, founder and director, Turkey Creek Community Initiatives; Patricia Gay, executive director, Preservation Resource Center of New Orleans; David Preziosi, executive director, the Mississippi Heritage Trust; John Nau III, chairman, Advisory Council on Historic Preservation; Dr. Janet Matthews, Associate Director for Cultural Resources, National Park Service; Richard Moe, president, the National Trust for Historic Preservation; and Norman Koonce, executive vice president and CEO, the American Institute of Architects.

14. *“Counting the Vote: Should Only U.S. Citizens be Included in Apportioning our Elected Representatives?” December 6, 2005*

a. Summary.—The purpose of this oversight hearing was to examine the potential benefits and pitfalls of counting only U.S. citizens for purposes of determining the apportionment base for the U.S. House of Representatives and the Electoral College. The subcommittee gave specific attention to a proposed Amendment to the U.S. Constitution introduced by Representative Candace Miller (H.J. Res. 53).

b. Witnesses.—Representative Candice Miller; Clark Benson, consultant and publisher, Polidata Co.; Steven Camarota, director of

Research, Center for Immigration Studies; Lawrence Gonzalez; Washington director, National Association of Latino Elected and Appointed Officials; Ken Prewitt, professor of public affairs, School of International and Public Affairs, Columbia University; Johnny Killian, Senior Specialist in Constitutional Law, American Law Division, Congressional Research Service; James Gimpel, associate professor of government and politics, University of Maryland; Andrew Spiropoulos, professor of law, Oklahoma City University School of Law; and Nina Perales, Southwestern Regional counsel, Mexican American Legal Defense and Educational Fund.

15. *“Living in America: Is Our Public Housing System up to the Challenges of the 21st Century,” February 15, 2006*

a. *Summary.*—In this oversight hearing, the subcommittee examined the state of public housing in the United States before and since the enactment of the Quality Housing and Work Responsibility Act of 1998 [QHWRA]. The subcommittee examined the factors that lead up to Congress’ decision to reform the Nation’s public housing programs in 1998. The subcommittee also took a broad look at how effective QHWRA’s reforms have been in creating better, safer and more affordable housing for the Nation’s low and moderate-income families. Finally, at this hearing, the subcommittee examined some of the recommendations made by the Millennial Housing Commission in its 2002 report entitled “Meeting Our Nation’s Housing Challenges.”

b. *Witnesses.*—Rick A. Lazio, executive vice president, global government relations and public policy, JPMorgan Chase Bank; Henry Cisneros, chairman CityView, former Secretary of HUD; David G. Wood, Director, Financial Markets and Community Investments, Government Accountability Office; Renee L. Glover, president and CEO, Atlanta Housing Authority, former commissioner, Millennial Housing Commission; Rod Solomon, counsel, Hawkins Delafield and Wood, LLP, former HUD Deputy Assistant Secretary for Policy; Conrad Egan, president, National Housing Conference, former executive director of the Millennial Housing Commission; Dr. Alexander von Hoffman, senior research fellow, Joint Center for Housing Studies, Harvard University; Dr. Edgar O. Olsen, Department of Economics, University of Virginia; Dr. Michael A. Stegman, director, Center for Community Capitalism, Kenan Institute of Private Enterprise, adjunct professor of entrepreneurship, University of North Carolina.

16. *“Apportionment in the Balance: A Look into the Progress of the 2010 Decennial Census,” March 1, 2006*

a. *Summary.*—In this hearing, the subcommittee examined the status of the Census Bureau’s preparations for the 2010 Decennial Census. Since the subcommittee’s April 19, 2005 hearing entitled “Halfway to the 2010 Census: The Countdown and Components to a Successful Decennial Census,” the Census Bureau had achieved and was nearing completion of several key milestones. The Bureau had successfully carried out the American Community Survey for 1 full year. Additionally, the Master Address File and Topologically Integrated Geographic Encoding and Referencing Enhancement Program was nearing a successful completion. As the Bureau con-

tinued its preparation for a short-form only census, it undertook two major contracts, the Field Data Collection Automation program and the Decennial Response Integration System. These two technology contracts have a combined value of over \$1 billion. These major contracts signal the first real “hi-tech” census, and the subcommittee examined how the successful implementation of these contracts is critical to the 2010 Decennial Census. Furthermore, the subcommittee explored several other issues such as the Local Update of Census Addresses program, intergovernmental partnerships, and personnel hiring challenges related to the successful implementation of the decennial census. The subcommittee also heard an assessment from the Government Accountability Office of the Bureau’s planning for the decennial census and the ongoing 2006 Census Test.

b. Witnesses.—Louis Kincannon, Director, Census Bureau; Brenda Farrell, Acting Director of Strategic Issues, Government Accountability Office; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Dr. Ralph A. Rector, research fellow and project manager, Center for Data Analysis, the Heritage Foundation; Dr. Andrew Reamer, deputy director, Urban Markets Initiative, Brookings Institution; and Dr. Margo Anderson, professor, history and urban studies, University of Wisconsin, Milwaukee.

17. *“The Connecticut Experience: What Can Be Done to Spur Brownfield Redevelopment along America’s New England Corridor?” March 13, 2006 (Bridgeport, CT)*

a. Summary.—This hearing was a continuation of the subcommittee’s review of Brownfields redevelopment. The purpose of this field hearing was to determine what progress has been made in the State of Connecticut under the U.S. Environmental Protection Agency program and what can be done to spur redevelopment within the State, thereby reducing community blight, safeguarding the local environment, and spurring economic revitalization of the communities in which these properties exist. The subcommittee heard from Federal, State and local stakeholders involved in Brownfields redevelopment.

b. Witnesses.—John Fabrizi, mayor, city of Bridgeport; Mary Sanderson, Chief, Remediation and Restoration II Branch, Office of Site Remediation and Restoration, U.S. Environmental Protection Agency Region I; Gina McCarthy, commissioner, Connecticut Department of Environmental Protection; Mark Lauretti, mayor, city of Shelton; Elizabeth Barton, chair, Environmental and Land Use Department, Day, Berry and Howard, LLP; Joseph Carbone, president/CEO, the Workplace, Inc.; Robert Santy, president, Regional Growth Partnership; Stephen Soler, president, Georgetown Land Development Co.; and Barry Trilling, partner, Wiggin and Dana, LLP.

18. *“Monitoring Our Nation’s Pulse: A Look at the Existing Federal, State and Local Economic Development Tools and Whether They are Adequate in Attracting and Keeping Businesses in America’s Heartland Cities?” March 21, 2006 (Springfield, MO)*

a. *Summary.*—During this field hearing in Springfield, MO, the subcommittee examined Federal, State, and local government economic development initiatives and how they impact heartland communities. The subcommittee was interested in learning what opportunities exist for urban and suburban areas in the Nation’s heartland to retain existing and to attract new businesses. Toward this end, the subcommittee was interested in hearing ideas on how local economic development practitioners can better work with Federal, State and other local governmental entities on economic development projects. Moreover, the subcommittee was interested in determining if there are better ways to use the economic development tools currently available and whether these tools are adequate (e.g., tax policy, brownfields initiatives, grants-in-aid, leveraging, regional cooperation, empowerment zones, etc).

b. *Witnesses.*—Tom Carlson, mayor, city of Springfield; Diane May, executive director, Southwest Missouri Council of Governments; Clint Thompson, director of planning and community development, city of St. Joseph; Jeff Sanford, president, Memphis Center City Commission; and Jim Cloar, president and CEO, Downtown St. Louis Partnership, Inc.

19. *“Public Housing Management: Do the Public Housing Authorities have the Flexibility They Need to Meet the Changing Demands of the 21st Century?” May 10, 2006*

a. *Summary.*—The purpose of this hearing was to examine whether the Department of Housing and Urban Development [HUD] had appropriately implemented the Quality Housing and Work Responsibility Act of 1998 [QHWRA] in keeping with the spirit of the act’s stated purpose of deregulating and decontrolling Public Housing Authorities [PHAs] and providing for more flexible use of Federal assistance. The subcommittee heard from several PHAs from around the Nation. The subcommittee was interested in hearing their views on HUD’s implementation of QHWRA, and its new management rules. The subcommittee also sought the PHAs’ comments on what steps HUD could take to further deregulate and decontrol while at the same time adding increased accountability.

b. *Witnesses.*—Greg Johnson, executive director, Dayton Metropolitan Housing Authority; Terry Peterson, chief executive officer, Chicago Housing Authority; Doug Apple, general manager, New York City Housing Authority; Steve Rudman, executive director, Housing Authority of Portland; Betsey Martens, co-executive director, Boulder Housing Partners; and Curt Hiebert, executive director, Keene (New Hampshire) Housing Authority.

20. *“Public Housing in the Competitive Market Place: Do Affordable and Public Housing Developments Benefit from Private Market and Other Financing Tools?” May 23, 2006*

a. *Summary.*—The purpose of this hearing was to learn from the financiers and developers in the multifamily affordable housing industry. This was the third in a series of hearings concerning public

and low-income housing. During this oversight hearing, the subcommittee examined the current and potential roles of the various capital sources in financing public and private affordable housing projects. The subcommittee reviewed the current statutory and regulatory structures guiding the financing of public-private housing development projects to determine whether any changes should or could be made. The subcommittee also explored opportunities to improve and/or expand financing options for private developers of low-income housing, as well as for Public Housing Authorities. The subcommittee heard from private sector parties involved in the development of low-income housing projects. The subcommittee was interested in hearing their experiences with programs such as the Low Income Housing Tax Credit, the Public Housing Capital Fund and the HOPE VI program.

b. Witnesses.—Patrick Clancy, president and chief executive officer, the Community Builders, Inc.; Wendy Dolber, managing director of tax exempt financing, Standard and Poor's Rating Services; and Brian Tracey, community development banking market executive, Atlantic Region, Bank of America Corp.

21. *"Poverty, Public Housing and the CRA: Have Housing and Community Investment Incentives Helped Public Housing Families Achieve the American Dream?" June 20, 2006*

a. Summary.—The purpose of this hearing was twofold. First, the subcommittee examined whether any of the self-sufficiency and poverty de-concentration initiatives of the Quality Housing and Work Responsibility Act of 1998 [QHWRA] and other legislation have created incentives for public housing tenants to find and maintain employment. Second, the subcommittee reviewed the "public policy theory" behind public housing and community investment. The subcommittee heard from witnesses who discussed the importance of the Community Reinvestment Act to the underlying goals of Federal housing programs.

b. Witnesses.—Jon Gutzmann, president, Public Housing Authorities Directors' Association, executive director, St. Paul Public Housing Agency; George Moses, chairman of the Board of Directors, National Low Income Housing Coalition; James Riccio, director, Low-Wage Workers and Working Communities Policy Area; Benson F. "Buzz" Roberts, senior vice president, policy and program development, Local Initiatives Support Corp.; and Judy Kennedy, president and CEO, National Association of Affordable Housing Lenders.

22. *"Moving the CDBG Program Forward: A Look at the Administration's Reform Proposal. Where Do We Go From Here?" June 27, 2006*

a. Summary.—On May 25, 2006, the Department of Housing and Urban Development delivered to the Speaker of the House a legislative proposal for reforming the Community Development Block Grant program. The purpose of this oversight hearing was to explore the administration's reform proposal and the decisionmaking process supporting its creation.

b. Witnesses.—Pamela Hughes Patenaude, Assistant Secretary, Office of Community Planning and Development, U.S. Department

of Housing and Urban Development; Stanley J. Czerwinski, Director, Intergovernmental Relations, Strategic Issues, U.S. Government Accountability Office; and Michael Springer, Assistant Director, Strategic Issues, U.S. Government Accountability Office.

23. *"Public Housing in the 21st Century: HUD's View on the Future of Public Housing in the United States," July 18, 2006*

a. *Summary.*—This was the fifth hearing in this series of hearings on public housing. The purpose of this hearing was to explore the Department of Housing and Urban Development's [HUD] vision for the future of public and affordable housing. Additionally, the subcommittee requested HUD respond to the testimony and recommendations received in the four previous hearings.

b. *Witnesses.*—Roy A. Bernardi, Deputy Secretary, U.S. Department of Housing and Urban Development; and Orlando J. Cabrera, Assistant Secretary for Public and Indian Housing, U.S. Department of Housing and Urban Development.

24. *"The Air Force Institute of Technology: An Intergovernmental Model for Today's Military Education," July 29, 2006 (Dayton, OH)*

a. *Summary.*—The subcommittee explored the arrangement among the Ohio-based universities, Air Force Institute of Technology, and the Air Force Research Laboratory and how this cooperation creates a synergistic educational environment greater than the sum of the parts. The subcommittee also examined how Federal, State, and local governments support this cooperative effort to maximize efficiency and fully utilize resources and expertise. Finally, the subcommittee considered how this unique program enhances graduate education in the Air Force and in Ohio, advances Federal technology research, and ultimately benefits the war fighter.

b. *Witnesses.*—Major General Ted Bowlds, Commander, Air Force Research Laboratory; Brigadier General Mark Matthews, Commander, Air Force Institute of Technology; Kevin DeWine, State representative, State of Ohio; Dr. Daniel Curran, president, the University of Dayton; Dr. Jay Thomas, vice president of research and dean of graduate studies, Wright State University; and Dr. Elizabeth Downie, director, the Dayton Area Graduate Studies Institute.

25. *"2+2 Should Never Equal 3: Getting Intercensal Population Estimates Right the First Time," September 6, 2006*

a. *Summary.*—The purpose of this hearing was to examine the Bureau's intercensal population estimates program. The subcommittee examined whether the Bureau's methodology results in reasonably accurate estimates and reasonably equitable allocation of Federal grants, whether the Bureau's challenge process is transparent, fair, and takes into account a community's ability to challenge the estimates. The subcommittee also examined whether the Bureau strives to continuously improve the estimates, the importance of accuracy, and opportunities for improving the estimates.

b. *Witnesses.*—Dr. Louis Kincannon, Director, U.S. Census Bureau; Dr. David Swanson, Director, State Data Center of Mis-

issippi; Dr. Joy E. Phillips, Associate Director, Washington, DC Data Center; Ken Hodges, assistant vice president and chief demographer, Claritas Inc.; and Dr. Warren A. Brown, Research Director, Cornell Institute for Social and Economic Research, Cornell University.

26. *“Historic Preservation and Community Development: Why Cities and Towns Should Look to the Past as a Key to Their Future,”*
September 20, 2006

a. Summary.—The purpose of this hearing was to examine how Federal, State, and local government have supported historic preservation efforts through regulation, property acquisition, and tax incentives. The subcommittee also reviewed the accomplishments of various preservation organizations and examined how these organizations have succeeded in their efforts through the use of revolving funds and the acquisition of conservation easements on historic buildings and sites. Several communities across the Nation have successfully utilized historic preservation programs to promote neighborhood revitalization. The subcommittee sought to identify which approaches have worked, which have not, and what opportunities are there for improvement.

b. Witnesses.—John Fowler, executive director, Advisory Council on Historic Preservation; Dr. Janet Snyder Matthews, Associate Director for Cultural Resources, National Park Service, Department of the Interior; Richard Moe, president, the National Trust for Historic Preservation; John Leith-Tetrault, president, National Trust Community Investment Corp.; Idotha Bootsie Neal, president, Wright Dunbar, Inc.; Kathleen H. Crowther, executive director, Cleveland Restoration Society and chairman of the Statewide and Local Partners Program of the National Trust for Historic Preservation; J. Myrick Howard, president, Preservation North Carolina; Edward Sanderson, executive director, Rhode Island Historical Preservation and Heritage Commission; and Ken Baumgartner, president, the Corky McMillin Companies.

OTHER

1. *Saving America’s Cities Working Group—Advisory Committee Meeting, June 28, 2005*

The primary purpose of the Saving America’s Cities [SAC] Working Group is to focus on the economic development of American cities facing a number of challenges including waning revenues, shrinking populations, and aging buildings and infrastructure. Congressman Turner, chairman of the Subcommittee on Federalism and the Census, also chairs the Speaker’s SAC Working Group and called a meeting to develop recommendations to address these issues and aid cities in every way possible to encourage community and economic development. Representatives from each of our national partner organizations provided testimony with recommendations based on their different expertise and outlook.

The SAC Working Group’s national partners gave unique perspective on how Congress can address the problems that plague many cities. In addition to hearing from these organizations, Chairman Turner asked that members of the Working Group invite rep-

representatives from their districts to provide a greater perspective on what impact existing Federal policies and programs have on these organizations and what Congress can do to better assist cities and their partners.

This meeting focused on the core principles that define a successful city and five issues regarding the revitalization of cities on which the Federal Government needs to take a lead: public housing; market rate housing; brownfields redevelopment; historic preservation; and Federal regulations and Federal programs aimed at updating relevant regulations and programs to address the needs of the 21st century city. This meeting served as the basis for the formulation of a report that the Working Group owed the Speaker.

Advisory Committee Members in attendance: Jack Kemp, Advisory Committee Chair, Former Congressman and Secretary of the Department of Housing and Urban Development; Anthony Williams, Mayor, District of Columbia; Donald Plusquellic, mayor, city of Akron, OH; Richard Daley, mayor, city of Chicago, IL; Marc Morial, president and CEO, National Urban League; Valerie Lemmie, city manager, city of Cincinnati, OH.

Members of the SAC Working Group in attendance: Representative Tom Davis, Representative Rob Bishop, Representative Phil English, Representative Nancy Johnson, Representative Ileana Ros-Lehtinen, Representative Thelma Drake, Representative Charlie Dent, and Representative Jeff Fortenberry.

Panelists: Fred Bañuelos, president and CEO, Alliance for Building Communities; Mary Lilly Smith, economic development director, city of Springfield, MO; Andy Friedman, director, Virginia Beach Department of Housing and Neighborhood Preservation; Ken Wade, CEO, Neighborhood Reinvestment Corp., National Neighborworks Association; Jerry Howard, executive vice president and chief executive officer, National Association of Home Builders; Stockton Williams, vice president of external affairs, the Enterprise Foundation; Sheila Crowley, president, National Low Income Housing Coalition; Saul Ramirez, Jr., executive director, National Association of Housing and Redevelopment Officials; Don Borut, executive director, National League of Cities; Pamela McKee, interim president and CEO, National Congress for Community Economic Development; Carol Coletta, president and CEO, CEOs for Cities; Tom Wolfe, senior director of Federal affairs, American Institute of Architects; Cynthia Stewart, director for local governmental relations, International Council of Shopping Centers; Don Graves, director of public policy, Business Roundtable; Jeff Soule, policy director, American Planning Association; Joe Molinaro, manager, Smart Growth Programs, National Association of Realtors; Benson Roberts, senior vice president for policy and program development, Local Initiatives Support Corp.; Pat Lally, director, congressional affairs, National Trust for Historic Preservation; Barry Tindall, director of public policy and international liaison, National Recreation and Parks Association; Eric Kassoff, principal, Wilkes Artis, Public Affairs Chair, Maryland/DC Chapter, National Association of Industrial and Office Properties; and Ed Rosado, legislative director, National Association of Counties.

2. Census Briefings

In cooperation with the subcommittee, the Brookings Institution held two briefings on the census and offered a tutorial on using the Census Bureau's Fast Facts for Congress webpage.

a. *"The Road to the 2010 Census: Implications for Apportionment, Redistricting, and the Economy," April 7, 2006*

The first briefing examined the preparations for and the uses of the 2010 decennial census. The briefing served to educate congressional staff and nongovernmental organizations on the importance of Census numbers. The Census Bureau's decennial count determines the reapportionment of House congressional seats and redrawn district boundaries. Furthermore, the decennial census data are used to allocate billions of Federal dollars.

Panelists: Andrew Reamer, deputy director, Urban Markets Initiative, Brookings Institution; John Cuaderes, staff director, House Subcommittee on Federalism and the Census; Mark Stephenson, minority professional staff member, House Committee on Government Reform; Katherine Wallman, Chief Statistician, Statistical Policy, Office of Management and Budget; Jay Waite, Associate Director for the Decennial Census, U.S. Census Bureau; Joseph Salvo, director, Population Division, New York City Department of City Planning; Cathy McCully, Chief, Census Redistricting Data Office, U.S. Census Bureau; and Michael Carliner, staff vice president for economics, National Association of Home Builders.

b. *"Better Data for Better Decisions: The Value of the American Community Survey to the Nation," June 23, 2006*

The second briefing explored the private and public sector uses of the new American Community Survey [ACS], which provides a profile of the population's demographic characteristics. The briefing served to educate congressional Members and their staffs on the importance of the ACS to the Nation and how it benefits district constituents. Congress authorized the Census Bureau to replace the decennial long form with the ACS to provide governments and businesses with needed data every year, rather than once a decade.

Panelists: Andrew Reamer, deputy director, Urban Markets Initiative, Brookings Institution; Ursula Wojciechowski, professional staff member, House Subcommittee on Federalism and the Census; Mark Stephenson, minority professional staff member, House Committee on Government Reform; Katherine Wallman, Chief Statistician, Statistical Policy, Office of Management and Budget; Jay Waite, Associate Director for the Decennial Census, U.S. Census Bureau; Lisa Blumberman, Deputy Chief, American Community Survey Office, U.S. Census Bureau; Dan Wiley, community coordinator, Brooklyn Heights Office, Office of Representative Nydia Velazquez; Chris Fulcher, director, Community Information Resource Center, Rural Policy Research Institute; Kirk Johnson, senior policy analyst, Center for Data Analysis, Heritage Foundation; and Bruce Fogarty, manager, Demographic and Economic Analysis, J.C. Penney Corp., Inc.

c. *“Know Your Constituency: Congressional District and State Profiles from the 2005 American Community Survey,”*
September 28 and 29, 2006

The Brookings Institution provided four 1-hour live Web cast training sessions on how to use the ACS. In August of this year, the Census Bureau released the first annual estimates from the ACS for 8,000 communities, 435 congressional districts and 50 States. In the tutorial, Ms. Cynthia Taeuber, a former Census official, gave an overview of what numbers are available by district and State on the Census Web site, how to make sense and use of these figures, and what to expect from the ACS in the coming years. The tutorial illustrated how ACS estimates provide an up-to-date picture of district constituents by providing characteristics—such as income levels, educational attainment, occupation, and housing costs—of the populations.

3. *H.R. 337, “To amend title 13, United States Code, to provide that the term of office of the Director of the Census shall be 5 years, to provide that the Director of the Census report directly to the Secretary of Commerce, and for other purposes”*

The subcommittee received H.R. 337 on February 15, 2005. No further action was taken on this bill.

4. *H.R. 4857, “Emergency Targeted Revenue Sharing Act of 2006”*

The subcommittee received H.R. 4857 on March 21, 2006. In general, the bill would provide \$79 billion over 3 years to State and local government in a manner similar to general revenue sharing. No further action was taken on this bill.

5. *Bringing Communities into the 21st Century: A Report on Improving the Community Block Grant Program*

This investigative report, adopted by the full committee, is based on hours of hearing testimony and research from the Executive branch, Government Accountability Office [GAO], academia, and, most importantly, the practitioners working with this program on a daily basis. In addition to the series of three Washington-based hearings, the subcommittee held field hearings in Pittsburgh, PA and in New York City’s Borough of Harlem. At these field hearings, the subcommittee heard testimony from actual recipients of CDBG moneys and also saw first hand how this program makes a difference in peoples’ lives.

Contained in this report are 19 detailed findings and recommendations to improve the CDBG program and making it relevant to the 21st century by targeting Federal funds more wisely so that we build stronger, more vibrant communities.

The committee recommends that HUD, in cooperation with the U.S. Census Bureau, explore opportunities for innovative applications of Census Bureau data to improve community development programs.

6. *What Will it Take to Turn Lost Opportunities into America’s Gain?*

This investigative report was approved by the full Government Reform Committee. After three hearings on the subject, the sub-

committee discovered that in general the 2002 Federal Brownfields Program is working. It is a key tool in the fight to remediate and redevelop these dangerous, blighting eye-sores. However, there remain areas for improvement of the program. Further, even if the Federal Program were perfected, there are too many brownfield sites across the Nation for the Federal Government and the States to address on their own. Contained in this report are 10 detailed findings and recommendations to improve the Brownfields Program and Federal efforts to encourage more aggressive redevelopment activities.

In brief, the report finds: 1) The actual impact of the Brownfields Program is difficult to determine. EPA should revise and upgrade its tracking mechanisms and performance measures; 2) EPA must consider improvements to the revolving loan fund to increase utilization of the appropriated funds; 3) Congress should reauthorize the Brownfields Program beyond fiscal year 2006 and authorize additional program funding; 4) even with additional funding, there are more brownfields than the States and Federal Government can ever hope to address. Enticing private sector investment is key to more aggressive remediation and redevelopment but the high costs of such projects remains a significant barrier to private sector involvement. A Federal tax credit, modeled on the low-income or historic rehabilitation tax credits, would be the most useful incentive in attracting private investment; 5) liability fears under CERCLA, RCRA, and TSCA remain an enormous deterrent to private sector investment in redevelopment projects. While Congress provided some liability relief in the 2002 Small Business Liability Relief and Brownfields Revitalization Act, further clarification of circumstances in which a party may be subject to future liability is necessary. Additionally, Congress should consider ways to incentivize responsible parties to participate in the remediation process. These parties are important because of their immediate knowledge of prior land-use, which contributed to present contamination; 6) certain activities imperative to full cleanup of brownfields sites are ineligible for Federal program funding. For instance, Federal funds may not be used for the cleanup of petroleum product contamination or the cleanup of building interiors. Congress should expand the eligibility provisions of Federal funds to permit the use of funds on such remediation and redevelopment costs; 7) environmental insurance provides key assurance to investors in redevelopment projects. Congress should expand the eligibility provisions of Federal funds to permit the use of funds on the cost of environmental insurance; 8) Congress and the EPA should both look to successful existing State cleanup programs as models when reforming existing Federal programs and when establishing new programs; 9) administrative burdens often result in significant time delay in redevelopment projects. In the private sector, time is money. To the extent Federal administrative burdens create such delays, the EPA should streamline its processes and create administrative partnerships with other Federal agencies to reduce administrative burdens and delays; and finally, 10) Congress should explore expanding the use of existing tax exempt redevelopment bonds to include environmental remediation projects to raise additional remediation and redevelopment capital.

V. SUBCOMMITTEE ON FEDERAL WORKFORCE AND AGENCY
ORGANIZATION

1. *"The Countdown to Completion: Implementing the New Department of Homeland Security Personnel System," March 2, 2005*

a. Summary.—On February 1, 2005, DHS and OPM jointly published in the Federal Register the final version of the regulations on the Department of Homeland Security [DHS] human resources management system. The hearing brought together representatives of DHS, OPM, Federal employee unions, and other interested parties to examine the DHS regulations, the implementation plan, and other matters of concern. Witnesses discussed the importance of a new personnel system in relation to the important national security mission of DHS.

b. Witnesses.—David M. Walker, U.S. Government Accountability Office; Neil A.G. McPhie, chairman, U.S. Merit Systems Protection Board; Ronald P. Sanders, Associate Director for Strategic Human Resource Policy of OPM; Ronald James, Chief Human Capital Officer of DHS; Colleen M. Kelley, national president, National Treasury Employees Union; T.J. Bonner, council president, American Federation of Government Employees; and Darryl Perkinson, national vice president, Federal Managers Association.

2. *"Yucca Mountain Project: Have Federal Employees Falsified Documents?" April 5, 2005*

a. Summary.—The Department of Energy [DOE] announced Wednesday, March 16, 2005, that Federal employees of the U.S. Geological Survey [USGS] falsified data used in scientific studies at the proposed Yucca Mountain nuclear waste project in Nevada. DOE made this discovery from emails exchanged by employees with the USGS dating back to 1998, which discuss potentially fabricated results from water and climate studies at Yucca Mountain. Twenty emails were reported which contained evidence that employees falsified their work. The purpose of this hearing was to examine the veracity of these aforementioned allegations and to probe into the extent of Federal employee involvement in the falsification of documents or records, as well as a discussion of whether sound science exists for the proposed project.

b. Witnesses.—Hon. Harry Reid, U.S. Senator; Hon. John Ensign, U.S. Senator; Kenny C. Guinn, Governor of Nevada; Brian Sandoval, attorney general of Nevada; Charles G. Groat, Director, U.S. Geological Survey, U.S. Department of Interior; Ted Garrish, Acting Director, Office of Civilian Radioactive Waste Management, U.S. Department of Energy; Earl E. Devaney, Inspector General, U.S. Department of Interior; Gregory H. Friedman, Inspector General, U.S. Department of Energy; Judy Treichel, executive director, Nevada Nuclear Waste Task Force; B. John Garrick, chairman, U.S. Nuclear Waste Technical Review Board; Joe Egan, esq., Nevada Attorney General's Office; and Bob Loux, executive director, Nevada Agency for Nuclear Projects.

3. *“NSPS: The New Department of Defense Civilian Personnel System—Reaching Readiness,” April 12, 2005*

a. Summary.—On February 14, 2005, DOD and OPM jointly published the proposed regulations on the DOD National Security Personnel System in the Federal Register. This hearing brought together representatives of DOD, OPM, Federal employee unions, and other interested parties to amine the proposed DOD regulations, the DOD implementation plan, and other matters relating to the new personnel system.

b. Witnesses.—David M. Walker, Comptroller General, U.S. Government Accountability Office; Charles S. Abell, Principal Under Secretary of Defense; George Nesterchuk, Senior Policy Advisor on the Department of Defense, U.S. Office of Personnel Management; Neil A.G. McPhie, chairman, U.S. Merit Systems Protection Board; Michael Styles, national president, Federal Managers Association; John Gage, national president, American Federation of Government Employees; and Ron Ault, president, Metal Trades Department.

4. *“H.R. 1578, Real Estate Investment Trusts [REITS]: Can They Improve the Thrift Savings Plan?” April 19, 2005*

a. Summary.—The Thrift Savings Plan [TSP] provides one leg of a three-part retirement system for Federal employees under the Federal Employees Retirement System [FERS]. The other two parts of the retirement system include a defined benefit annuity and Social Security. This hearing explored the possibility of expanding the options available to employees who participate in the TSP to include an option for investment in real estate investment trusts [REITs]. REITs have become an investment vehicle of choice recently for private sector companies when considering expansion of options available within 401(k) packages. As the Federal Government seeks to modernize its recruitment and retention tools to keep pace with the private sector, some have raised REITs as an option for achieving these goals. This hearing examined the impact upon the investment options available in the TSP and the future impact upon retirement benefits for employees.

b. Witnesses.—Hon. Mark Foley, Representative from Florida; Hon. Richard E. Neal, Representative from Massachusetts; Andrew M. Saul, chairman, Federal Retirement Thrift Investment Board; Gary A. Amelio, executive director, Federal Retirement Thrift Investment Board; Steven A. Wechsler, president and CEO, National Association of Real Estate Investment Trusts; Amy Schioldager, managing director, U.S. Indexing Products, Barclays Global Investors; Dr. Roger G. Ibbotson, chairman, Ibbotson Associates; Jim Sauber, chairman, Employees Thrift Advisory Council; and IBM, which provided testimony for the record.

5. *“Question: What is More Scrambled Than an Egg? Answer: The Federal Food Inspection System,” May 17, 2005*

a. Summary.—This hearing followed up on a March 30, 2004, hearing entitled, “A System Rued: Inspecting Food,” in which the subcommittee examined problems with the organizational structure of the Federal food safety inspection system. Government Accountability Office [GAO] investigations have uncovered widespread

overlap and duplication of effort in the core areas of the Federal food inspection system, including: inspection/enforcement, training, research, and rulemaking. Following the hearing, the subcommittee, in conjunction with the Senate Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, requested that GAO further investigate this problem and report: (1) where overlap occurs within the system; (2) the extent to which agencies are coordinating effort through interagency agreements; and (3) the views of key stakeholders regarding opportunities to reduce overlap and duplication. The subcommittee examined the findings of that report as well as raised the prospect of Presidential fast-track reorganization authority as a solution to the Federal Government's various organization problems, which would allow the President to offer a reorganization plan to the Congress for an up-or-down vote of the plan in its entirety.

b. Witnesses.—Robert A. Robinson, Managing Director, Natural Resources and Environment, Government Accountability Office; Robert Brackett, Director of Center for Food Safety and Applied Nutrition at the Food and Drug Administration; Dr. Merle D. Piereson, Acting Undersecretary for Food Safety at the U.S. Department of Agriculture; Susan B. Hazen, Principal Deputy Assistant Administrator Office of Prevention, Pesticides, and Toxics Substances of the Environmental Protection Agency; and Richard V. Cano, Acting Director, Seafood Inspection Program National Marine Fisheries Service, National Oceanic and Atmospheric Administration.

6. *“Yucca Mountain Project: Digging for the Truth?” June 29, 2005*

a. Summary.—This hearing follows up on the subcommittee's previous hearing on April 5, 2005, “Yucca Mountain Project: Have Federal Employees Falsified Documents?” The Department of Energy [DOE] announced Wednesday, March 16, 2005, that Federal employees of the U.S. Geological Survey [USGS] potentially falsified data used in scientific studies at the proposed Yucca Mountain nuclear waste project in Nevada. DOE made this discovery from emails exchanged by employees with the USGS dating back to 1998, which discuss fabricated results from water and climate studies at Yucca Mountain. This revelation sparked both Inspector General investigations by the Departments of Energy and Interior, as well as an FBI criminal investigation. The purpose of this hearing was a continuation of the first hearing of this matter, which was held April 5, 2005, to address the aforementioned allegations and probe into the extent of Federal employee involvement in the falsification of documents relating to the Yucca Mountain Project.

b. Witnesses.—W. John Arthur III, Deputy Director, Office of Repository Development, Office of Civilian Radioactive Waste Management [OCRWM], Department of Energy; and Joseph Hevesi, Scientist, U.S. Geological Survey, Department of Interior.

7. *“Turning Bureaucrats into Plutocrats: Can Entrepreneurialism Work in the Federal Government?” July 13, 2005*

a. Summary.—This hearing explored the possibility of the Federal workforce moving at the speed of the information age. Former Speaker Newt Gingrich testified regarding numerous compelling proposals for how to propel the Federal workforce into the 21st cen-

tury by fostering “entrepreneurialism” amongst the Government’s employees. At this hearing the subcommittee examined both how the Federal Government today often limits its employees by allowing them to merely administer programs rather than manage for results, as well as how the same agencies can address this by producing “entrepreneurs” instead of “bureaucrats.”

b. Witnesses.—Hon. Newt L. Gingrich, former Speaker of the U.S. House of Representatives; David M. Walker, Comptroller General of the United States; and Maurice P. McTigue, vice president, Mercatus Center at George Mason University.

8. *“Is There a Doctor in the Mouse? Using Information Technology to Improve Health Care,” July 27, 2005*

a. Summary.—This hearing followed up on a subcommittee field hearing held in Pittsburgh, PA, on September 13, 2004, entitled, “You Can’t Always Get What You Want: What if the Federal Government Could Drive Improvements in Health Care?” In that hearing, the subcommittee examined how the Federal Government could lead the health care industry in developing health information technology [HIT] through promoting its use in the Federal Employees Health Benefits Program [FEHBP]. The purpose of this hearing was to examine the benefits and costs savings of health information technology [HIT] and, more specifically, examine ways in which the FEHBP can provide incentives for carriers and providers toward the adoption and implementation of HIT.

b. Witnesses.—Hon. Patrick Kennedy, Representative from Rhode Island; Hon. Tim Murphy, Representative from Pennsylvania; Linda M. Springer, Director, Office of Personnel Management; Dr. David Brailer, National Health Information Technology Coordinator, HHS; Dr. Carolyn Clancy, Director, Agency for Health Care Research and Quality, HHS; Dr. Harvey Fineberg, president of the Institute of Medicine; David St. Clair, founder and CEO, MEDecision Inc.; and Dr. Jan Walker, RN, MBA Executive Director Center for Information Technology Leadership [CITL].

9. *“Tension in the Tinderbox: Finding Fairness for Federal Firefighter Compensation,” August 12, 2005*

a. Summary.—At this hearing the subcommittee examined H.R. 408, the “Federal Wildland Firefighter Emergency Response Compensation Act of 2005,” introduced by Representative Richard Pombo of California. H.R. 408 addresses compensation and benefits issues for Federal Wildland Firefighters by increasing pay while in a fire emergency as well as increasing the amount used to calculate retirement benefits. Some claimed that a disparity exists between Federal Wildland Firefighters and private or public sector contract employees in regards to compensation. The subcommittee traveled to Southern Nevada to closely examine the issues surrounding compensation for Federal Firefighters, including Wildland Firefighters.

b. Witnesses.—Bob Vaught, Forest Supervisor, Humboldt-Toiyabe National Forest, U.S. Forest Service; Nancy Kichak, Associate Director, Strategic Human Resources Policy, Office of Personnel Management; Ryan Beaman, president of Clark County Firefighters, International Association of Fire Fighters; and Casey Judd, business manager, Federal Wildland Fire Service Association.

10. *"It's Time to REACT—Reauthorizing Executive Authority to Consolidate Task: Establishing Results and Sunset Commissions," September 27, 2005*

a. Summary.—In its fiscal year 2006 budget, the Bush administration offered two proposals to curb the inefficiency and lack of accountability in many Federal programs. These proposals entail the creation of two commissions to assist in examining vast program areas for needed reforms. On July 14, 2005, Chairman Jon Porter introduced H.R. 3276, the "Government Reorganization and Improvement of Performance Act," along with chief cosponsors, Chairman Tom Davis and Representative Kevin Brady. This bill would establish a commission to help make decisions about the reorganization of selected Federal program areas. In addition, on July 14, Representative Kevin Brady introduced H.R. 3277, the "Federal Agency Performance Review and Sunset Act" (Sunset Act), along with chief cosponsors Chairman Tom Davis and Chairman Jon Porter. The bill would establish a Sunset Commission to review the need for each Federal Agency after which it would have to be positively reauthorized by Congress. Without congressional action, any agency not reauthorized would be terminated within 2 years of review by the Sunset Commission. At this hearing the subcommittee examined the need for and possible use of this legislation.

b. Witnesses.—Clay Johnson, Deputy Director for Management, Office of Management and Budget; Dr. Paul Light, Paulette Goddard professor of public service, Robert Wagner School of Public Service, New York University; Tom Schatz, president, Citizens Against Government Waste; Maurice McTigue, vice president for Outreach, Mercatus Center; and Robert Shull, director of regulatory policy, OMB Watch.

11. *"Mom, Apple Pie, and Working for America: Accountability and Rewards for the Federal Workforce," October 5, 2005*

a. Summary.—This hearing examined a Bush administration proposal, the Working for America Act, to make broad reforms to the government's personnel systems. The Working for America Act would create a new system of occupation classification, compensation, and performance management. It would also place all Federal employees under a pay-for-performance system. The hearing brought together representatives of OPM, GAO, Federal employee unions, and other interested parties to examine and discuss the proposal. Union witnesses expressed an interest in examining the personnel systems at the Departments of Defense and Homeland Security prior to moving forward, but explained that reform may work if properly administered and funded.

b. Witnesses.—Linda M. Springer, Director, U.S. Office of Personnel Management; David M. Walker, Comptroller General, U.S. Government Accountability Office; Theresa S. Shaw, Chief Operating Officer, Office of Federal Student Aid, U.S. Department of Education; Max Stier, president and CEO, Partnership for Public Service; W. Scott Gould, vice president, public sector strategy and change, Business and Consulting Service, IBM Global Services; Michael B. Styles, national president, Federal Managers Association; John Gage, national president, American Federation of Govern-

ment Employees; and Colleen M. Kelley, national president, National Treasury Employees Union.

12. *“Justice Delayed Is Justice Denied: A Case for a Federal Employees Appeals Court,” November 9, 2005*

a. *Summary.*—The subcommittee invited representatives from the Office of Personnel Management [OPM], U.S. Merit Systems Protection Board [MSPB], the Federal Labor Relations Authority [FLRA], the Equal Employment Opportunity Commission [EEOC], and the Senior Executives Association to discuss how to streamline and improve the review procedures of the MSPB, the FLRA, and the EEOC. This discussion included, but was not limited to, consolidation of these agencies into one adjudicatory body with jurisdiction over employee appeals, labor-management matters, and equal opportunity issues. The subcommittee also examined how to reduce jurisdictional overlap and improve processing times.

b. *Witnesses.*—William Bransford, general counsel, Senior Executives Association; Neil A.G. McPhie, chairman, Merit Systems Protection Board; Dale Cabaniss, chairman, Federal Labor Relations Authority; and Cari Dominguez, Chair, Equal Employment Opportunity Commission.

13. *“Mitigating the Impact of High Gas Prices on the American Workforce,” November 16, 2005*

a. *Summary.*—With the gasoline price spikes from two hurricanes that hit the Gulf Coast within weeks of each other, the subcommittee examined the impact this has had on Federal employees, and what the agencies they work for are doing in response. Employees that drive into work every day in highly congested cities consume large amounts of gasoline. It was estimated that in 2003, traffic congestion caused 3.7 billion hours of travel delay and 2.3 billion gallons of wasted fuel. At this hearing the subcommittee was interested to find whether agencies were promoting the benefits offered through the use of public transportation, telecommuting, flexiwork and any other programs that might allow eligible employees to work in economical and efficient ways.

b. *Witnesses.*—Hon. Frank Wolf, Member of Congress, U.S. House of Representatives; Hon. James Moran, Member of Congress, U.S. House of Representatives; Dan Matthews, Chief Information Officer, Department of Transportation; Tom Calcagni, managing director for public relations, AAA; William Mularie, chief executive officer, Telework Consortium; Steve O’Keeffe, executive director, Telework Exchange; and Steve Hill, Silver State Material.

14. *“Healthier Feds and Families: Introducing Information Technology into the Federal Employees Health Benefits Program,” March 15, 2006*

a. *Summary.*—This hearing followed on the subcommittee’s hearing held on July 27, 2005, entitled “Is There a Doctor in the Mouse? Using Information Technology to Improve Health Care.” This hearing built upon the discussions in that hearing and also examined how H.R. 4859, the Federal Family Health Information Technology Act, can improve the quality and delivery of healthcare

for the participants in the Federal Employees Health Benefits Program.

b. Witnesses.—Hon. Newt Gingrich, former Speaker of the House; David Powner, Director, IT Management Issues, Government Accountability Office; Dr. Jane Barlow, well being director, Health Benefits Operations, IBM; David St. Clair, Board of Directors member, Health Information Management Systems Society and founder and CEO of MEDecision Inc.; Dr. Edward F. Ewen Jr., director of clinical informatics, Christiana Care Health Services; Dr. Paul B. Handel, vice president and chief medical officer Texas Division, HCSC; Jeannine M. Rivet, executive vice president, UnitedHealth Group; and Dr. Malik M. Hasan, CEO, HealthView, retired CEO, Health Net.

15. *“OPM’s 2007 Budget and New Strategic and Operational Plan: A Discussion with the OPM Director,” March 28, 2006*

a. Summary.—The purpose of this hearing was to discuss OPM’s fiscal year 2007 budget allocation and new Strategic and Operational Plan for 2006–2010. The President’s Budget requested a budget allotment for OPM of \$256 million, an increase of \$17.2 million from OPM’s fiscal year 2006 post-recession budget allocation. In addition, the Office of Personnel Management issued a new Strategic and Operation Plan for 2006–2010. The subcommittee examined OPM’s new Strategic and Operational Plan and program goals in connection with the President’s Budget.

b. Witness.—Linda Springer, Director, Office of Personnel Management.

16. *“Travel vs. Terrorism: Federal Workforce Issues in Managing Airport Security,” April 4, 2006*

a. Summary.—Since September 11, 2001, the security requirements at airports have changed significantly. For example, screening and background checks of the Federal and private sector workforces at airports have been enhanced. The agencies primarily responsible for these procedures are the Department of Homeland Security [DHS], which includes the Transportation Security Administration [TSA], and Customs and Border Protection [CBP], and the Office of Personnel Management, Center for Federal Investigative Services. The Nation relies upon these agencies and their employees for protection. The Subcommittee on the Federal Workforce and Agency Organization is concerned about hiring, training, deployment, and preparedness of Federal employees at these agencies. Understanding what these employees do is of paramount importance because employees have been entrusted with protecting the lives of American citizens on a day to day basis.

b. Witnesses.—Cathleen Berrick, Director, Homeland Security and Justice, Government Accountability Office; Robert Jamison, Deputy Secretary for Security Operations, Transportation Security Administration; Kathy Dillaman, Deputy Associate Director for the Center for Federal Investigative Services, Office of Personnel Management; and Dawn E. Lucini, airport security administrator, McCarran International Airport, Las Vegas.

17. *“Yucca Mountain: Broken Management, Broken Quality Assurance, Broken Project,” April 25, 2006*

a. *Summary.*—Pursuant to the subcommittee’s investigation of the Yucca Mountain Project relating to allegations that Federal employees falsified quality assurance records, Chairman Porter requested the Government Accountability Office [GAO] to conduct a followup study on the effectiveness of the Department of Energy’s [DOE] quality assurance program for the Yucca Mountain Project. GAO has since completed its study and recently released a report entitled, “Quality Assurance at DOE’s Planned Nuclear Waste Repository Needs Increased Management Attention.” The purpose of this hearing was to examine GAO’s findings in greater detail, and bring attention to DOE’s mismanagement of Yucca Mountain.

b. *Witnesses.*—Paul M. Golan, Acting Director, Office of Civilian Radioactive Waste Management, U.S. Department of Energy; Gregory Friedman, Inspector General, U.S. Department of Energy; Margaret Federline, Deputy Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission; and Jim Wells, Director, Natural Resources and Environment, U.S. Government Accountability Office.

18. *“Adding a Real Estate Investment Trust [REIT] Index Option to the Thrift Savings Plan: Considering the Views and Advisory Role of the Employee Thrift Advisory Council [ETAC],” April 26, 2006*

a. *Summary.*—On April 12, 2005, Chairman Jon Porter, along with Representative Chris Van Hollen and full committee Chairman Tom Davis, introduced H.R. 1578, the “Real Estate Investment Thrift Savings Act.” There has been growing interest in expanding the options available to employees who participate in the TSP to include a fund option for investment in real estate investment trusts [REITs]. REITs have become an investment vehicle of choice recently for private sector companies when considering expansion of options available within 401(k) packages. As the Federal Government seeks to modernize its recruitment and retention tools to keep pace with the private sector, REITs can be an important tool in accomplishing these goals.

This hearing, in particular, examined the substance of the resolution adopted by the Employee Thrift Advisory Council [ETAC] on March 7, 2006, opposing the addition of a Real Estate Investment Trust [REIT] Index Fund to the Thrift Savings Plan; the information and process used by the ETAC to ascertain the viewpoint of Federal employees, as reflected in the resolution; and the role of Federal Retirement Thrift Investment Board management with regard to the ETAC’s adoption of the resolution and its decision-making process.

b. *Witnesses.*—Gary A. Amelio, Executive Director, Federal Retirement Thrift Investment Board; Thomas J. Trabucco, Director, External Affairs, Federal Retirement Thrift Investment Board; James W. Sauber, chairman, Employee Thrift Advisory Council; and Richard L. Strombotne, Employee Thrift Advisory Council member.

19. *“Fair and Balanced? The Status of Pay and Benefits for Non-Article III Judges,” May 16, 2006*

a. Summary.—This hearing examined the concerns of non-Article III Judges, with an emphasis on Administrative Law Judges [ALJs]. The subcommittee explored issues pertaining to the recruitment and retention of these judges including pay compression, the utility of implementing pay-for-performance for non-Article III judges, OPM’s management of the ALJ program, and the alleged inequity of retirement benefits provided to ALJs.

b. Witnesses.—Nancy Kichak, Associate Director, Division for Strategic Human Resources Policy, Office of Personnel Management; William Cowan, Deputy Chief Administrative Law Judge, Federal Energy Regulatory Commission, vice president, Federal Administrative Law Judges Conference; Ronald G. Bernoski, Administrative Law Judge, Social Security Administration, president, Association of Administrative Law Judges; R. Anthony McCann, president of the Board of Contract Appeals Judges Association; and Denise N. Slavin, president, National Association of Immigration Judges.

20. *“Reauthorization of the Office of Government Ethics,” May 23, 2006*

a. Summary.—This hearing examined the reauthorization of the Office of Government Ethics [OGE]. The agency’s current authorization expires at the end of the fiscal year 2006. OGE was seeking the passage of legislation that would extend the agency’s authorization of appropriations through fiscal year 2011. Marilyn Glynn, Acting Director for the Office of Government Ethics was called to justify the proposed 5 year reauthorization.

b. Witness.—Marilyn Glynn, Acting Director, Office of Government Ethics.

21. *“Healthier Feds and Families: Introducing Information Technology into the Federal Employee Health Benefits Program, a Legislative Hearing on H.R. 4859 Part II,” June 13, 2006*

a. Summary.—This hearing followed a subcommittee hearing held on March 15, 2005, entitled, “Healthier Feds and Families: Introducing Information Technology into the Federal Employee Health Benefits Program.” This hearing built upon the discussions in that hearing and also examined how H.R. 4859, the Federal Family Health Information Technology Act, can improve the quality and delivery of healthcare for the participants in the Federal Employee Health Benefits Program.

b. Witnesses.—Hon. Wm. Lacy Clay, Member of Congress, ranking member on the Subcommittee on Federalism and the Census; Dan Green, Deputy Associate Director, Center for Employee and Family Support Policy, OPM; Charles Fallis, president, National Active and Retired Federal Employees Association; Colleen Kelley, national president, National Treasury Employees Union; Jacqueline Simon, director of public policy, American Federation of Government Employees; Archelle Georgion, MD, executive VP, strategic relations, Specialized Care Services, UnitedHealth Group; Stephen W. Gammarino, senior vice president, National Programs,

Blue Cross and Blue Shield Association; and Joe Witkowski, vice president, Government Employees Hospital Association, Inc.

22. *“Establishing a Commission to Recommend Improvements for the Federal Employees Appeals Process,” July 11, 2006*

a. Summary.—The current Federal employee appeals and complaint process is complicated and heard in numerous agencies and forums. On November 9, 2005, the subcommittee held a hearing entitled, “Justice Delayed Is Justice Denied: A Case for a Federal Employees Appeals Court,” to explore a proposal to consolidate employee appeals into one forum. At that hearing Mr. Niel A.G. McPhie, chairman of the U.S. Merit Systems Protection Board, suggested that a commission be formed to study the Federal employee appeals process. Chairman McPhie’s suggestion was well-received by members of the subcommittee. This hearing examined the idea of creating a Federal Employees Appeals Commission to further study the process and to offer recommendations for improvement.

b. Witnesses.—Neil A.G. McPhie, chairman, Merit Systems Protection Board; William (Bill) Tobey, Deputy Solicitor, Federal Labor Relations Authority; Cari Dominguez, Chair, Equal Employment Opportunity Commission; Scott Bloch, Special Counsel, U.S. Office of Special Counsel; Nancy H. Kichak, Associate Director, Strategic Human Resource Policy Division, Office of Personnel Management; Scot Beckenbaugh, acting deputy director, Federal Mediation and Conciliation Service; William Bransford, general counsel, Senior Executives Association; Colleen M. Kelley, national president, National Treasury Employees Union; John Gage, national president, American Federation of Government Employees, AFL-CIO; and Karen Heiser, vice president of FMA Chapter 88, Federal Managers Association.

23. *“Telecommuting: A 21st Century Solution to Traffic Jams and Terrorism,” July 18, 2006*

a. Summary.—This hearing specifically examined the need to increase the use of telecommuting by the Federal Government in the National Capitol Region to provide: continued government operations during an emergency or disaster situation, increased efficiency and productivity in the Federal Government, and an increase in the quality of life of Federal employees.

b. Witnesses.—Daniel Green, Deputy Associate Director Center for Workforce Planning and Policy, Analysis, Strategic Human Resources Policy Division, Office of Personnel Management; Danette Campbell, Senior Telework Advisor, the U.S. Patent and Trademark Office; Carl Froehlich, Chief of Agency-Wide Shared Services, the Internal Revenue Service; Dr. William Mularie, CEO, Telework Consortium; Joslyn Read, assistant vice president, regulatory, Hughes Networks Systems LLC; and Jerry Edgerton, president business/Federal marketing, Verizon Communications.

24. *“Retirees Returning to the Rescue: Re-employing Annuitants in Times of National Need,” July 25, 2006*

a. Summary.—This hearing examined the need for legislation to enhance flexibilities for re-employing annuitants to fill crucial Federal workforce shortages without the requirement that salary be

offset by annuity. The hearing also examined how to quickly fill areas of need by encouraging part-time service both before and after retirement.

b. Witnesses.—Nancy Kichak, Associate Director for Strategic Human Resources Policy Division, Office of Personnel Management; Patricia Bradshaw, Deputy Undersecretary of Defense, Civilian Personnel Policy, Department of Defense; Barbara Panther, Associate Deputy Assistant Secretary for Human Resources and Management, Department of Veterans Affairs; Dr. Ronald Sanders, Chief Human Capital Officer, Office of the Director of National Intelligence; Charles Fallis, president, National Active and Retired Federal Employees Association; and Duncan Templeton, national legislative vice president, Federal Law Enforcement Association.

25. *“Using Information Technology: For the Health of It,” September 1, 2006 (St. Louis, MO)*

a. Summary.—This hearing followed on several subcommittee hearings dealing with health information technology [HIT] and the role the Federal Government can and should play in helping HIT move forward nationally. This hearing focused on current government progress in HIT. On August 22, 2006 the President signed a new Executive order, which requires insurance carriers that do business with the Federal Government to provide price transparency to their consumers. It also requires these carriers to adopt certain quality standards which will be monitored and published by the Office of Personnel Management. Carriers who adopt HIT will be required to use and follow interoperability standards that will be recognized by the Federal Government. The Executive order also requires plans to develop more consumer driven health options. This Executive order helps ensure that the benefits Federal employees receive are the best in quality and choice while preventing premium rates from increasing due to these changes. The government witnesses discussed the progress and challenges we now face in adopting HIT. They also testified about the new Executive order and what it means for Federal employees and what it means for the rest of the country. The witnesses from the private sector and from the higher educational sector discussed the progress and challenges we are facing in implementing full electronic health records.

b. Witnesses.—Daniel Green, Deputy Associate Director, Employee and Family Support Policy, U.S. Office of Personnel Management; David Powner, Director, IT Management Issues, U.S. Government Accountability Office; George Paz, president, CEO of Express Scripts Inc.; Dr. James P. Crane, associate vice chancellor for clinical affairs, School of Medicine, Washington University; and Mark A. Rothstein, director of the Institute for Bioethics Health Policy.

26. *“Executive and Judicial Compensation in the Federal Government (Quadrennial Commission),” September 20, 2006*

a. Summary.—The purpose of this hearing was to examine the results of a study conducted by GAO—at the request of the chairman of this subcommittee—on executive and judicial compensation in the Federal Government, including discussion of: inequities in top level compensation in executive and judicial pay plans; the ad-

verse impact of “pay erosion” and “pay compression” due to inflation and the failure to keep pace with changing economic conditions in certain top level executive and judicial pay plans; and whether re-establishment of a commission—or some other approach—should be considered with respect to the possible restructuring of top level pay plans to maintain reasonable salary relationships across Federal executive and judicial level positions.

b. Witnesses.—David Walker, Comptroller General of the United States; D. Brock Hornby, judge, U.S. District Court for the District of Maine, chairman, judicial branch, Committee of the Judicial Conference of the United States; Philip M. Pro, chief judge, U.S. District Court for the District of Nevada; Sean O’Keefe, chancellor, Louisiana State University and former Administrator, National Aeronautics and Space Administration; and Dr. Gary Burtless, John C. and Nancy D. Whitehead chair in economic studies, the Brookings Institution.

VI. SUBCOMMITTEE ON GOVERNMENT MANAGEMENT AND ACCOUNTABILITY

1. *“The Financial Report of the U.S. Government for Fiscal Year 2004,” February 9, 2005*

a. Summary.—This hearing reviewed the findings of the Government Accountability Office’s audit of the fiscal year 2004 consolidated financial statements of the U.S. Government. For the eighth year in a row, GAO was unable to provide assurance as to the reliability of the Federal Government’s financial books, resulting in a “disclaimer of opinion.” The Office of Management and Budget [OMB] accelerated the deadline for submitting financial audits, and Federal agencies closed their books on November 15, 2004, only 45 days after the end of the fiscal year. This financial information was then compiled by the Department of the Treasury in the 2004 Financial Report of the U.S. Government and audited by GAO. The consolidated report was issued on December 15, 2004. The accelerated deadline was a full 3 months earlier than the deadline for the previous fiscal year and a significant improvement from earlier years when agencies took up to 5 months to close their books. Of the 24 major departments and agencies covered by the Chief Financial Officers Act, Public Law 101–576, all but two were able to submit audited statements within the accelerated timeframe. Eighteen were able to earn “unqualified” or “clean” opinions, but auditors found that many of these agencies had weaknesses in management safeguards to protect against fraud and error—known as “internal controls.” The Departments of Defense, Homeland Security, Housing and Urban Development, and Justice, as well as NASA received “disclaimed” opinions on their fiscal year 2004 financial statements, which means that the auditor was unable to assert that the information was reliable. The Small Business Administration improved on last year’s disclaimed opinion, earning a “qualified” opinion on its fiscal year 2004 statements. This hearing examined the consolidated financial statements, the reasons that GAO was unable to express an opinion on them, and the managerial changes that need to take place so that the Federal Govern-

ment can produce reliable financial data for the Congress and the American people.

b. Witnesses.—David M. Walker, Comptroller General, U.S. Government Accountability Office; Jack Martin, Chief Financial Officer, U.S. Department of Education; and Donald V. Hammond, Fiscal Assistant Secretary, Department of the Treasury.

2. *“Improving Internal Controls: A Review of Changes to OMB Circular A-123,” February 16, 2005*

a. Summary.—When accounting scandals shook the U.S. economy early in the decade, Congress responded by placing stringent new accounting requirements on publicly-traded companies. The legislation, known as the Sarbanes-Oxley Act, Public Law 107-204, put responsibility for financial information squarely in the hands of managers. To ensure that investors could rely on financial reports, Sarbanes-Oxley required companies to document the safeguards they have in place to prevent errors or fraud, commonly known as “internal controls.” Internal controls are the checks and balances that help managers detect and prevent problems. Internal controls provide a foundation for accountability, and, while they are important in the private sector, sound controls are imperative in government. Internal control problems are nothing new in the Federal Government. For example, the Federal Government makes approximately \$45 billion in mistaken payments every year. When audits at the Department of Homeland Security [DHS] revealed egregious internal controls problems, the subcommittee proposed and successfully enacted legislation, Public Law 108-330, to require DHS management to take responsibility for improving internal controls and to have an auditor attest to those improvements. In light of this legislation and the new requirements for the private sector under Sarbanes-Oxley, the Office of Management and Budget [OMB] re-examined the requirements Federal agencies face. Using information gleaned from a committee of agency Chief Financial Officers and Inspectors General, OMB issued new guidelines, Circular A-123, in December 2004 that, like Sarbanes-Oxley and the requirements at DHS, puts more responsibility on agency management and clearly defines the steps that need to be taken and documented to ensure that internal controls are sound. This hearing examined the changes in Circular A-123, and the steps that will be taken to improve internal controls in Federal agencies as a result of the changes.

b. Witnesses.—Otto J. Wolff, Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, member of the Chief Financial Officers Council; Christopher B. Burnham, Acting Under Secretary for Management, Assistant Secretary for Resource Management, and Chief Financial Officer, U.S. Department of State, member of the Chief Financial Officers Council; John P. Higgins, Jr., Inspector General, U.S. Department of Education, member of the President’s Council on Integrity and Efficiency; and Jeffrey C. Steinhoff, Managing Director of Financial Management and Assurance, U.S. Government Accountability Office.

3. *“Protecting Pensions and Ensuring the Solvency of PBGC,”*
March 2, 2005

a. Summary.—This hearing focused on the Pension Benefit Guaranty Corp.’s [PBGC] financial situation. PBGC is a Federal agency established as an insurer in 1974 by the Employee Retirement Income Security Act, Public Law 93–406. It was created to protect the pensions of participants and beneficiaries covered by private sector defined benefit plans. The PBGC runs two distinct insurance programs for single-employer and multi-employer plans. Multi-employer plans are collectively bargained plans to which more than one company makes contributions. PBGC maintains separate reserve funds for each program. In 2004, it insured private pensions for 44 million persons participating in about 30,200 plans, including about 1,600 multi-employer plans. In fiscal year 2004, PBGC paid over \$3 billion in benefits to almost 520,000 people in about 3,500 plans. A firm must be in financial distress to end an underfunded plan. Recent weaknesses in the steel and airline industries led to large and expensive plan terminations that have over time left the PBGC with a deficit of over \$23 billion. This hearing examined structural changes to how the PBGC operates to allow the PBGC to react like a traditional insurance provider would to perceived risk in its policyholders. The subcommittee continues to monitor the PBGC’s financial health, and at the time this summary was written, several legislative proposals to reform the PBGC to eliminate its funding shortfalls were being considered by Congress.

b. Witnesses.—David M. Walker, Comptroller General, U.S. Government Accountability Office; Brad Belt, Executive Director, Pension Benefit Guaranty Corp.; and Doug Elliot, president, Center on Federal Financial Institutions.

4. *“Strengthening Travel Reimbursement Procedures for Army National Guard Soldiers,”* *March 16, 2005*

a. Summary.—This hearing was an extension of the subcommittee’s oversight of the pay problems that have plagued Army National Guard and Army Reserve soldiers mobilized since September 11, 2001 as a part of Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom. The House Government Reform Committee held a hearing on January 28, 2004, to look at pay problems with several National Guard units, which were identified by GAO in a November 2003 report. The subcommittee then held a hearing on July 20, 2004 looking specifically at pay problems for Army Reserve soldiers. As a result of these hearings, GAO developed 50 recommendations for the Department of Defense [DOD] to improve its financial systems used to process these payments. Committee staff and DOD personnel meet quarterly to assess the progress in implementing those recommendations. At this hearing, the subcommittee examined the findings of GAO’s report, GAO–05–79, on travel reimbursement procedures for National Guard troops. This report found that a number of deployed National Guard soldiers experienced problems receiving appropriate travel and per diem reimbursement. DOD has been very responsive to the efforts of GAO and the committee, and the hearing provided DOD with an opportunity to respond to the GAO report and discuss many of the man-

agement and systems improvements they have made to improve accuracy of the travel and per diem reimbursement processes.

b. Witnesses.—Patrick T. Shine, Director, Military and Civilian Pay Services, Defense Finance and Accounting Service; John Argodale, Deputy Assistant Secretary for Financial Operations, Office of the Assistant Secretary of the Army for Financial Management and Comptroller; Roy Wallace, Director of Plans and Resources, Department of the Army; and Gregory D. Kutz, Director of Financial Management and Assurance, U.S. Government Accountability Office.

5. *“Financial Management Challenges at the Department of Justice,” May 4, 2005*

a. Summary.—For fiscal year 2004, the Department of Justice’s [DOJ] auditors were unable to express an opinion as to the reliability of DOJ’s financial statements, and they rescinded the unqualified opinion rendered on DOJ’s 2003 statements. The purpose of this hearing was to examine these audit results, which revealed serious accounting problems that have impacted DOJ’s ability to achieve its mission. The most serious problems occurred in the area of grants management, including the Community Oriented Policing Services Program. The hearing also examined DOJ’s struggles with its management of large information technology investments, such as DOJ’s attempts to implement a DOJ wide financial management system and the Federal Bureau of Investigation’s failed investment of \$170 million for a system that will not work as intended. At the hearing, DOJ discussed its efforts to address the challenges identified in the audit. DOJ worked hard to address these issues, and for fiscal year 2005, DOJ regained its clean audit opinion.

b. Witnesses.—Paul R. Corts, Assistant Attorney General for Administration and Chief Financial Officer, U.S. Department of Justice; and Glenn A. Fine, Inspector General, U.S. Department of Justice, accompanied by Marilyn A. Kessinger, Director, Financial Statement Audit Office, Office of the Inspector General, U.S. Department of Justice.

6. *“Information Policy in the 21st Century: A Review of the Freedom of Information Act,” May 11, 2005*

a. Summary.—The Freedom of Information Act [FOIA], 5 USC § 552, was originally signed into law almost 40 years ago, in 1966. FOIA established a statutory right of public access to executive branch information in the Federal Government. FOIA generally provides that any person has a right, enforceable in Federal court, to obtain access to Federal agency records. The framers of FOIA, however, realized that the public’s right to know must be balanced against the Federal Government’s right to keep information in confidence to the extent necessary without permitting indiscriminate secrecy. FOIA originally included nine categories of information protected from disclosure. Congress has added additional exemptions over time. It is a constant struggle to maintain the appropriate balance between the public’s need for open government while protecting information vital to national security and preserving the confidentiality of certain personal information. This hearing gave the subcommittee a chance to examine the security, information

management, and resource challenges that Federal agencies face in the post-September 11th information age. The subcommittee heard testimony from the Department of Justice who is responsible for providing agencies with FOIA guidance and encouraging compliance with FOIA. Furthermore, the National Archives and Records Administration, who faces the huge task of electronically archiving millions of government documents so they may be available for future generations, testified on their experience with FOIA and meeting the challenge of providing ready access to public information. Finally, the subcommittee heard from FOIA requestors to understand the opportunities to improve FOIA. In part as a result of this hearing and the committee's oversight activities related to FOIA, the President signed an Executive order on December 14, 2005 to improve the administration of FOIA to make it more citizen-centered and service-oriented for FOIA requestors.

b. Witnesses.—Allen Weinstein, Archivist of the United States, National Archives and Records Administration, accompanied by Dr. Michael Kurtz, Assistant Archivist for Records Programs, National Archives and Records Administration; Carl Nichols, Deputy Assistant Attorney General, Federal Programs Branch, Civil Division, U.S. Department of Justice; Linda Koontz, Director, Information Management, U.S. Government Accountability Office; Jay Smith, chairman, Newspaper Association of America and president, Cox Newspapers Inc.; Ari Schwartz, associate director, Center for Democracy and Technology; and Mark Tapscott, director, Center for Media and Public Policy, the Heritage Foundation.

7. *"Business Systems Modernization at the Department of Defense," June 8, 2005*

a. Summary.—This hearing was a continuation of the subcommittee's oversight of the business modernization efforts currently underway at the Department of Defense [DOD]. Continual audits and investigations by GAO and DOD auditors confirm the existence of pervasive weaknesses in DOD's financial management and related business processes and systems. The problems have (1) resulted in a lack of reliable information needed to make sound decisions and report on the status of day-to-day activities, including accountability of assets, and financial and other reports to Congress and DOD decisionmakers, (2) hindered operational efficiency, (3) adversely affected mission performance, and (4) left DOD vulnerable to fraud and waste. Although the senior DOD leadership has repeatedly committed itself to transforming and improving the department's financial management and business process systems, limited progress has been made since Secretary Rumsfeld announced the effort in 2001. This hearing provided an update on the status of the Business Enterprise Architecture and the implementation of financial management and business process reforms, known as the Business Management Modernization Project, including reviewing suggestions for accelerating reforms and overcoming obstacles that hinder their implementation. In part as a result of the committee's oversight, DOD recently announced the creation of the Business Transformation Agency to oversee its business modernization efforts; the subcommittee will monitor the effect of the new agency.

b. Witnesses.—Gregory D. Kutz, Director, Financial Management and Assurance, U.S. Government Accountability Office, accompanied by Randy Hite, Director, Information Technology Architecture and Systems Issues, U.S. Government Accountability Office; Thomas Modly, Deputy Under Secretary of Defense for Financial Management, Office of the Under Secretary of Defense, U.S. Department of Defense; and Paul A. Brinkley, Special Assistant to the Under Secretary of Defense for Business Transformation, U.S. Department of Defense.

8. *“The Evolution of Federal Financial Management: A Review of the Need to Consolidate, Simplify, and Streamline,” June 22, 2005*

a. Summary.—This hearing was the first in a series of discussions on how best to consolidate, simplify, and streamline the laws that govern Federal agency financial management. More than 800 pages of statutory text, some of which dates back to the 1920s, govern the daily decisions of Federal managers. The result is overlapping and often-obsolete reporting requirements and wasted effort. The right financial management reform will ensure that government managers are accountable to taxpayers in the most effective manner possible so that tax dollars are spent for their intended purpose, not to generate useless reports or pay for unneeded overhead. The driving force behind financial management should be accountability, not the generation of reports and paperwork. The long-term goal behind this hearing is to develop legislation that would simplify, streamline and enhance the laws governing agency financial management. The subcommittee has been working with an Advisory Panel from the National Academy of Public Administration [NAPA] composed of NAPA fellows with expertise in financial, budgetary, and performance management as well as program operations. Members of the Advisory Panel testified about what they see as the key issues for reforming Federal financial management practices. The subcommittee will continue working on this issue throughout the second session of the 109th Congress.

b. Witnesses.—C. Morgan Kinghorn, president, National Academy of Public Administration; Edward DeSeve, vice chairman, Board of Directors, National Academy of Public Administration; and Edward Kearney, managing partner, Kearney and Co., Certified Public Accountants, accompanied by Cornelius E. Tierney, Kearney and Co., Certified Public Accountants.

9. *“Implementing the Improper Payments Information Act: Are We Making Progress?” July 20, 2005*

a. Summary.—This hearing was a continuation in a series of hearings that the subcommittee started in the 108th Congress to examine executive branch efforts to measure and prevent improper payments. The Federal Government is currently making at least \$45.1 billion worth of improper payments each fiscal year. The current administration has made the elimination of improper payments a major focus of the President’s management agenda [PMA] both through the Improving Financial Performance initiative and the Eliminating Improper Payments program initiative. On November 26, 2002, the President signed into law the Improper Payments

Information Act [IPIA] of 2002, Public Law 107–300. With the passage of IPIA, Congress and the President institutionalized Federal agency efforts to eliminate improper payments. This law requires Federal agencies, for the first time in the history of Federal spending, to annually estimate the amount of improper payments that agencies make. The purpose of IPIA is to enhance the accuracy and integrity of Federal payments. IPIA provides a framework for Federal agencies to identify the reasons behind improper payments and to develop solutions that will reduce and prevent improper payments. Federal agencies reported on their efforts to implement IPIA for the first time at the end of fiscal year 2004. These agency reports represent the best information to date on the extent of improper payments and the critical challenges that must be overcome to eliminate them. Based on agency-established reduction targets, the Office of Management and Budget is working with agencies to reduce the government-wide improper payments total for the next round of reporting in fiscal year 2005. This hearing provided the subcommittee with the opportunity to take a look at the improper payment figures from fiscal year 2004, the efforts to refine those figures and to reduce improper payments in fiscal year 2005, and the challenges that lay ahead to improving the accuracy and integrity of Federal payments.

b. Witnesses.—Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; and McCoy Williams, Director, Financial Management and Assurance, U.S. Government Accountability Office.

10. *“DHS in Transition: Are Financial Management Problems Hindering Mission Effectiveness?” July 27, 2005*

a. Summary.—At this hearing, the subcommittee focused on the financial management problems at the Department of Homeland Security [DHS]. Just prior to the hearing, DHS Secretary Michael Chertoff released the results of his Second Stage Review of the organization of DHS. The subcommittee was concerned that the recommendations did not appear to have placed the proper emphasis on financial accountability. This omission is concerning because DHS faces serious accounting problems, including mismanagement of large contracts at the Transportation Security Administration, ineffective control of grants processing, and budget shortfalls at the Bureau of Immigration and Customs Enforcement. For the past 3 fiscal years, the Department has been unable to produce audited financial statements, as required by law. According to the audit results for fiscal year 2004, the most serious weakness at DHS is its current financial management structure, under which the Department’s Chief Financial Officer reports to the Under Secretary for Management rather than directly to the Secretary. Chairman Platts was the chief sponsor of the DHS Financial Accountability Act, Public Law 108–330, which applied the provisions of the Chief Financial Officers Act [CFO] of 1990, Public Law 101–576, to DHS. Under the act, all Departments must have a Senate-confirmed CFO who reports directly to the Secretary. This hearing gave the subcommittee an opportunity to ask the Department of Homeland Security why it had not yet complied with the requirement to nominate a new CFO for Senate confirmation and to adjust its organiza-

tional structure to give the CFO direct access to the Secretary, as set forth in the DHS Financial Accountability Act, which was signed into law on October 16, 2004. As a direct result of this hearing, DHS changed its organizational chart to reflect the direct reporting relationship of the CFO to the Secretary. At the time of the writing of this report, DHS has yet to put forward a nominee to go through Senate confirmation. The subcommittee is continuing to monitor this situation.

b. Witnesses.—Janet Hale, Undersecretary for Management, Department of Homeland Security; Andrew Maner, Chief Financial Officer, Department of Homeland Security; Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; and Richard Skinner, Acting Inspector General, Department of Homeland Security.

11. *“Implementing Cost Accounting at the Department of Veterans Affairs and the Department of Labor,” September 21, 2005*

a. Summary.—Reliable information on the true cost of Federal programs is needed to manage agency operations effectively and to improve mission performance. In the current budget environment, this information is particularly important as agencies try to accomplish their missions with fewer resources. A case in point is the recent budget crisis at the Department of Veterans Affairs [VA]. In June 2005, the Congress passed legislation providing \$1.5 billion in emergency funds for VA’s health care programs in fiscal year 2005. The total funding increase for fiscal years 2005 and 2006 will amount to \$2.5 billion. The Department had not anticipated the need for additional funding, and VA Secretary Jim Nicholson, testifying before the House Veterans Affairs Committee, blamed the failures on inaccurate data and outdated assumptions. Timely, accurate cost accounting data is integral to effective budgeting. Managerial cost accounting, often referred to as “cost accounting,” is the collection and analysis of financial and non-financial data with the goal of understanding the true costs of programs on a micro-level. The subcommittee requested that GAO conduct a series of case studies to determine the extent to which Federal agencies develop cost information and use it for managerial decisionmaking. In its first study, GAO contrasted practices at VA with those at the Department of Labor, a leader in Federal financial management. The results of this case study, GAO-05-1013R, were examined at this hearing.

b. Witnesses.—Samuel Mok, Chief Financial Officer, U.S. Department of Labor; Tim S. McClain, General Counsel and Acting Chief Management Officer, U.S. Department of Veterans Affairs; and Robert Martin, Director, Financial Management and Assurance, U.S. Government Accountability Office.

12. *“Financial Services Sector Preparedness,” September 26, 2005 (Brooklyn, NY)*

a. Summary.—The terrorist attacks of September 11, 2001, and the destruction of the World Trade Center struck at the heart of the Nation’s financial sector. The rapid recovery of the financial infrastructure inspired confidence as the U.S. Treasury securities market opened just 2 days later, and the equities market was in

full operation by September 17th. Still, Congress, the executive branch, and industry groups realized that financial firms would need new contingency plans and stress tests to protect against more extreme situations in the future. The Federal Government in partnership with local governments and the private sector has responded to the need to continue to strengthen the resiliency of the Nation's financial infrastructure through a variety of initiatives. Many of these post September 11th improvements were tested during the massive power blackout in the northeastern United States and Canada on August 14, 2003. All indications after the blackout were that improvements put in place after September 11, 2001, helped mitigate the damage that could have resulted from the infrastructure shutdown that the blackout caused. These results are encouraging. The purpose of this field hearing, which was held in New York City, the financial capital of the world, was to examine the present status of financial market preparedness for wide-scale disasters or disruptions, including efforts aimed at prevention, detection, and response. The hearing provided local, State, and Federal Government officials and representatives from the private sector a chance to discuss accomplishments and identify areas where improvements and resources are still needed.

b. Witnesses.—Raymond Kelly, police commissioner, city of New York; Scott Parsons, Deputy Assistant Secretary, Critical Infrastructure Protection and Compliance Policy, Department of the Treasury; R. James Caverly, Director, Infrastructure Coordination Division, Department of Homeland Security; Daniel Muccia, first deputy superintendent of banks, State of New York Banking Department; Catherine Allen, chief executive officer, BITS; Donald Donahue, chairman, Financial Services Sector Coordinating Council for Critical Infrastructure Protection and Homeland Security; Samuel Gaer, chief information officer, New York Mercantile Exchange, Inc., chief executive officer, NYMEX Europe Limited; and Steve Randich, executive vice president of operations and technology and chief information officer, the NASDAQ Stock Market, Inc.

13. "Financial Management Challenges at the National Aeronautics and Space Administration [NASA]," October 27, 2005

a. Summary.—At this hearing, the subcommittee examined financial management problems at the National Aeronautics and Space Administration [NASA]. The hearing was conducted jointly with the Subcommittee on Space and Aeronautics of the House Committee on Science, chaired by Representative Ken Calvert of California. Audits performed over the past several years have revealed serious financial management problems at NASA. Since fiscal year 2003, auditors have been unable to attest to the reliability of NASA's financial data, issuing what is known as a "disclaimer of opinion" each year on the agency's financial statements. Chairman Platts held an oversight hearing in May 2004 to look at the results of the fiscal year 2003 audit and the implementation of a major financial system overhaul, the Integrated Enterprise Management Program [IEMP], which began in the middle of 2003. Although NASA management blamed conversion to the new system for its poor audit performance in both fiscal years 2003 and 2004,

auditors also found that NASA did not follow proper accounting procedures, did not accurately account for property and equipment, and was unable to effectively reconcile its Treasury account—the equivalent of balancing its checkbook. Auditors have also expressed concerns about human capital management within the Office of the Chief Financial Officer [CFO], specifically whether the CFO at NASA headquarters has the appropriate authority over financial management at NASA’s 10 independent centers. This hearing addressed the preliminary findings of NASA’s financial audit for fiscal year 2004. The subcommittee also examined how NASA is managing the implementation of its new financial system, the IEMP, and how it has addressed the persistent weaknesses identified through successive audits.

b. Witnesses.—Gwendolyn Sykes, Chief Financial Officer, National Aeronautics and Space Administration; Patrick Ciganer, IEMP Director, National Aeronautics and Space Administration; Robert W. Cobb, Inspector General, National Aeronautics and Space Administration; and Greg Kutz, Director, Forensic Audit and Special Investigations, U.S. Government Accountability Office.

14. “15 Years of the CFO Act—What is the Current State of Federal Financial Management?” November 17, 2005

a. Summary.—November 15, 2005 marked the 15th Anniversary of the enactment of the Chief Financial Officers [CFO] Act, Public Law 101–576. This landmark legislation provided a new accountability framework for Federal financial management. First, the CFO Act centralized responsibility for financial management in the Office of Management and Budget [OMB]. The CFO Act created the Offices of the Deputy Director for Management and Federal Financial Management within OMB along with the positions that head up these two offices, the Deputy Director for Management and the Controller, who are both appointed by the President and confirmed by the Senate. By creating these new positions in OMB, the CFO Act established a focal point and leadership for implementing government-wide financial management improvement efforts. Furthermore, by establishing CFOs in the largest departments and agencies with a direct line of reporting to the heads of those agencies, the act provided a new source of leadership for agency-by-agency financial management improvement. These CFOs coordinate with one another through the interagency CFO Council, which was established by the CFO Act as well. The act also laid the foundation for requiring annual financial audits of essentially all Federal operations. The requirement for audited financial statements of all agency accounts has now been in place for 10 fiscal years, and on November 15, 2005, departments and agencies reported on the results of their audits for fiscal year 2005, just 45 days after the end of the fiscal year. Fifteen years ago this would have been impossible. Although many agencies have made steady progress in implementing the requirements of the CFO Act, the audit results over the past 3 fiscal years show signs of stagnation. For the first round of audits of agency financial statements for fiscal year 1996, only 6 out of 24 CFO Act agencies were able to achieve a clean opinion. The number of clean opinions peaked with the audit results of fiscal year 2002, when 21 out of the 24 CFO Act agencies received

clean opinions. For fiscal years 2003, 2004 and 2005, only 18 out of 24 agencies received clean opinions, and over that period a total of nine different agencies have received less than clean opinions. For fiscal year 2005, the Department of Defense, the Department of Homeland Security, and the National Aeronautics and Space Administration all received disclaimers as they did the previous two fiscal years. The Department of Energy and the General Services Administration went from clean opinions in fiscal year 2004 to disclaimers for fiscal year 2005. Finally, the Department of State went from a clean opinion in fiscal year 2004 to a qualified opinion for fiscal year 2005. This hearing gave the Members of the subcommittee the opportunity to examine how far the Federal Government has come in improving its financial management and whether agencies are able to generate the kind of complete, reliable, consistent, timely, and uniform financial information that key decision-makers need to finance, manage, and evaluate Federal programs.

b. Witnesses.—Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; and Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance, U.S. Government Accountability Office.

15. *“U.S. Fiscal Outlook and the Fiscal Year 2005 Governmentwide Financial Statements,” March 1, 2006*

a. Summary.—This hearing reviewed, for the fourth time since Representative Platts took over as chairman of the subcommittee, the Financial Report of the U.S. Government, which provides one of the best snapshots of the financial health of the Federal Government at the end of each fiscal year. The report includes the results of the Federal Government’s financial operations, its financial condition, its revenues and costs, assets and liabilities, and other obligations and commitments. In contrast to the Federal budget, which uses a cash basis for reporting, the Financial Report is compiled on an accrual basis. This difference makes the Financial Report far more dynamic in contrast to the budget. While the budget can be used as a planning and control tool for the current fiscal year, the Financial Report may be used as a tool for analyzing longer-term obligations and spending and revenue trends.

The 2005 Financial Report of the U.S. Government represents the ninth time that the Department of the Treasury has published the report in its current format. The results contained in the 2005 Financial Report showed that the net operating cost of the Federal Government, which is the excess of expenses over revenues, was \$760 billion for fiscal year 2005. The 2005 Financial Report contrasts this number to the \$319 billion budget deficit for fiscal year 2005, and explains why although the budget deficit decreased by \$93 billion from fiscal years 2004 to 2005, the net operating cost of the Federal Government actually increased by \$144 billion. The 2005 Financial Report also contains an analysis of the Social Security and Medicare trustees’ annual report on the Social Security and Medicare Trust funds. While the 10-year fiscal outlook for these funds is basically stable, the 75-year fiscal outlook for these funds is not nearly as good. In fact, according to the 2005 Financial Report, the net present value of the total resources needed to fund the Social Security and Medicare programs over the next 75 years

is approximately \$35.6 trillion. This number represents the resources needed above and beyond the funding that these programs will receive from payroll taxes, benefit taxes, and premium payments.

b. Witnesses.—David M. Walker, Comptroller General of the United States, U.S. Government Accountability Office; and Donald V. Hammond, Fiscal Assistant Secretary, U.S. Department of the Treasury.

16. *“OMB’s Financial Management Line of Business Initiative: Too Much Too Soon?” March 15, 2006*

a. Summary.—In 2004, the Office of Management and Budget announced the creation of its Lines of Business initiative, which aimed to consolidate duplicative functions across the Federal Government. The goal is to save taxpayer dollars by realizing economies of scale using a shared services model to provide “back-office” functions, such as Human Resources, Case Management, Grants Management, Financial Management, Federal Health Architecture, Information Technology Security, and others. A service provider could be another Federal agency or a private sector host.

This hearing examined the progress made in the Financial Management Line of Business. In the President’s Fiscal Year 2005 Budget, four Federal agencies were designated by OMB as “Centers of Excellence” and are now eligible to provide financial management services for other Federal agencies. OMB has been encouraging agencies to give serious consideration to either becoming or using Centers of Excellence as they make decisions to upgrade their financial systems. In fact, the initial OMB guidance required that agencies continue with financial management upgrades only with the approval of a business case—commonly known as an exhibit 300—that demonstrates the cost effectiveness of a system upgrade over use of the shared service model via a Center of Excellence.

While the concept of a shared service model has significant merit, there are important considerations that need to be addressed as the initiative moves forward. Agencies need clear guidance, a realistic view of the state of Federal financial management, meaningful performance metrics, effective contracts between host and customer agencies, and better cost accounting in order for the concept to work as envisioned. Also, implementation of the concept needs to evolve at an appropriate pace. This hearing provided an important dialog on these and other topics.

b. Witnesses.—Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; Karen Evans, Administrator, Office of Electronic Government and Information Technology, Office of Management and Budget; Joseph Kull, PricewaterhouseCoopers LLP; John Marshall, vice president, CGI Federal; and Clifton A. Williams, partner, Grant Thornton LLP.

17. *“Department of Homeland Security Information Technology Challenges and the Future of eMerge2,” March 29, 2006*

a. Summary.—This hearing, held jointly with the Committee on Homeland Security, Subcommittee on Management, Integration

and Oversight, provided the subcommittee an opportunity to gain a better understanding of the Department of Homeland Security's information technology needs and challenges. DHS faces tremendous challenges as it attempts to find ways to meet its business objectives while leveraging the systems it inherited from the 22 organizations that came together to form DHS. From a financial management perspective, DHS appears stalled. For the past 3 years, DHS' auditors have not been able to give an audit opinion on DHS balance sheet, which is the most basic of financial statements. In the Auditor's Report for Fiscal Year 2005, DHS' Inspector General stated that DHS made little or no progress to improve its overall financial reporting in fiscal year 2005. The indication for fiscal year 2006 is that things may actually get worse. Hopefully, the increasingly negative audit results are a sign that DHS and its auditors are getting better information about the true state of financial management within DHS so they can find and solve the problems. This hearing was crucial in providing the subcommittee's Members an opportunity to explore these issues and get a better sense of the future of financial and information technology management at DHS.

b. Witnesses.—Eugene Schied, Acting Chief Financial Officer, Department of Homeland Security; Scott Charbo, Chief Information Officer, Department of Homeland Security; McCoy Williams, Director, Financial Management and Assurance, Government Accountability Office; and Randy Hite, Director, Information Technology Architecture and Systems, Government Accountability Office.

18. *"The Improper Payments Information Act—Are Agencies Meeting the Requirements of the Law?" April 5, 2006*

a. Summary.—This hearing was a continuation in a series of hearings that the subcommittee started in the 108th Congress on the topic of reducing and eliminating improper payments in Federal programs. The current administration has made the elimination of improper payments a major focus of the President's management agenda both through the Improving Financial Performance initiative and the Eliminating Improper Payments program initiative. Congress and the President institutionalized Federal agency efforts to eliminate improper payments with the passage of the Improper Payments Information Act [IPIA] of 2002. IPIA's purpose is to enhance the accuracy and integrity of Federal payments by providing a framework for Federal agencies to identify the causes of, and solutions to, reducing improper payments. The Office of Management and Budget [OMB] issued guidance to agencies in May 2003 on implementing IPIA. Federal agencies reported on their efforts to implement IPIA for the first time in fiscal year 2004. These reports established a baseline number of \$45.1 billion in improper payments reported for fiscal year 2004. For fiscal year 2005, agencies reported a total of approximately \$38.5 billion in improper payments. The lower number for fiscal year 2005 is largely accounted for by a \$9.6 billion decrease in the improper payments reported by the Department of Health and Human Services [HHS] for the Medicare program. There was however a \$2 billion increase in the improper payments reported by the Social Security Administration for Old-Age and Survivors Insurance and Disability Insur-

ance. Furthermore, 17 programs that had not reported prior to fiscal year 2005 reported new improper payments of \$1.2 billion.

These figures raise questions about the implementation of IPIA and the quality of reporting from agency to agency. First, there are some large programs like Medicaid, which will expend \$340 billion in fiscal year 2006 and which definitely has significant improper payments, whose agencies have yet to figure out a way to estimate and report on improper payments for these programs.

Finally, this hearing provided the subcommittee with an opportunity to hear a detailed assessment of how HHS was able to lower the error rate for Medicare so dramatically during fiscal year 2005, which led to the reported improper payment figure dropping by \$7.8 billion. The subcommittee examined whether these improvements were the result of program management changes or whether the reduction in the improper payments number for Medicare was the result of how the information was gathered rather than the implementation of new financial controls over Medicare payments.

b. Witnesses.—Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; Charles E. Johnson, Assistant Secretary for Budget, Technology, and Finance, Department of Health and Human Services; Timothy B. Hill, Chief Financial Officer and Director of the Office of Financial Management, Centers for Medicare and Medicaid Services; and McCoy Williams, Director, Financial Management and Assurance, Government Accountability Office.

19. *“After Katrina: The Role of the Department of Justice Katrina Fraud Task Force and Agency Inspectors General in Preventing Waste, Fraud, and Abuse,” May 10, 2006*

a. Summary.—This hearing reviewed the activities and effectiveness of the government-wide effort by agency inspectors general, as well as the DOJ Hurricane Katrina Fraud Task Force, to ensure accountability in the wake of Hurricane Katrina. On August 29, 2005, Hurricane Katrina devastated the Gulf Coast States of Louisiana, Mississippi, Alabama, and Florida with torrential rains and severe winds, destroying thousands of square miles of residential and commercial areas, causing the failure of the city of New Orleans levee system, and leaving many areas along the Gulf Coast uninhabitable. By September 9, 2005, Congress had provided over \$63 billion to DHS for disaster relief, including \$15 million to the DHS Office of Inspector General to oversee the management and expenditure of these funds. The Federal Emergency Management Agency [FEMA] tasked other Federal departments and agencies through Mission Assignments, totaling over \$7 billion, more than \$6 billion of which went to the Army Corps of Engineers. Today, more than \$100 billion has been appropriated by Congress to a variety of Federal agencies involved in the relief effort.

In response to a request by Chairman Tom Davis of the House Government Reform Committee and Chairman Todd Platts of the Government Management, Finance and Accountability Subcommittee, the DHS OIG developed a plan for oversight of the funds to be spent directly by the DHS components. In addition, the dozen or so other Federal agencies that will play a significant role in the Hurricane Katrina rebuilding effort have each developed oversight

plans for their respective agencies to ensure that federally appropriated funds are spent wisely.

The overriding objective of the oversight plans developed by the DHS OIG and the other OIG offices involved with the Hurricane Katrina recovery and rebuilding is to ensure accountability. Therefore, the plans are focused heavily on pro-active, preventative measures, including reviewing and testing internal financial controls; monitoring and advising agency officials on contracts, grants and other financial transactions before they are approved; and meeting with contractors and applicants to advise them of the requirements and to assess their capabilities to properly account for the funds. In addition, the plans call for aggressive audit and investigative efforts designed to identify and address waste fraud and abuse as early as possible.

The subcommittee made two visits to the Gulf Coast to review the activities of the inspector general community and to ensure that the accountability structure that has been put in place is effective and provides the best defense against waste, fraud, abuse and mismanagement of federally appropriated funds. The DHS Office of Inspector General, along with the other major Federal agencies involved with the Katrina recovery effort, are also coordinating their efforts with the Department of Justice, which established the Hurricane Katrina Fraud Task Force on September 8, 2005, to deter, detect and prosecute individuals who commit fraud in the wake of this disaster. This hearing gave the subcommittee's members an opportunity to discuss with key officials plans for future oversight as well as review the lessons learned from the immediate aftermath of the hurricane.

b. Witnesses.—Alice Fisher, Assistant Attorney General, Criminal Division, U.S. Department of Justice, Chair, Hurricane Katrina Fraud Task Force; Matt Jadacki, Special Inspector General for Gulf Coast Hurricane Recovery, Department of Homeland Security; Ken Donohue, Inspector General, Department of Housing and Urban Development; Eric Thorson, Inspector General, Small Business Administration; and Thomas Gimble, Principal Deputy Inspector General, Department of Defense.

20. *“Financial Management Challenges at the General Services Administration,” June 7, 2006*

a. Summary.—This hearing, another in a series of hearings on agency-specific financial audit and management issues, looked at how recently uncovered financial management problems will impact GSA in the future, discussed recent financial audit findings, as well as possible implications for GSA's customer agencies. In addition, the hearing reviewed GSA's role in OMB's financial management line of business initiative.

GSA was established through the Property and Administrative Services Act of 1949 to consolidate real estate, supply, and support functions. Today, in addition to those core functions, GSA also works with departments and agencies to establish management policies. GSA serves as the lead agency for the Office of Management and Budget's Financial Management Line of Business [FMLoB], and it is one of four designated Shared Services Providers. In this dual role, GSA will not only bid to provide financial

management services for other Federal agencies, it will set the standards for the government-wide implementation of the FMLoB.

With GSA's high-profile role in Federal financial management and the impact of its operations government-wide, the subcommittee was concerned by the results of GSA's fiscal year 2006 financial audit. In short, auditors were unable to attest to the reliability of GSA's financial statements, resulting in a disclaimer of opinion.

The primary problem involved reconciliations between GSA's core financial system and the systems of its three "Services:" the Federal Technology Service [FTS], the Federal Supply Service [FSS], and the Public Buildings Service [PBS]. Specifically, the systems at FTS, FSS, and PBS were unable to adequately record detailed budget transactions for customer agencies throughout the year. The hearing gave members an opportunity to hear from key GSA witnesses about the problems and plans to ensure that GSA financial management gets back on track.

b. Witnesses.—Kathleen Turco, Chief Financial Officer, General Services Administration; and Eugene L. Waszily, Jr., Assistant Inspector General for Auditing, General Services Administration.

21. "OMB's Financial Management Line of Business Initiative—Do Recent Changes to the Implementation Guidance Clarify the Rules?" June 28, 2006

a. Summary.—This hearing served as a follow up to the subcommittee's March 15th hearing on OMB's Financial Management Line of Business initiative [FMLoB]. After hearing from two OMB officials and private sector witnesses, the subcommittee concluded that guidance to both Federal managers and private sector providers was unclear and that many unanswered questions remained. At that hearing, OMB stated that they would be issuing draft guidance on March 30, 2006.

Unfortunately, the draft guidance and the changes contained therein raised more questions than answers. Specifically, one of the biggest changes announced by OMB is the plan to utilize the competitive framework in Circular A-76 to guide migration. Previously, OMB had indicated that Federal agencies would use a capital asset investment business case—known as an exhibit 300—as the primary means for analyzing the possible move to a shared service provider. The use of A-76 carries significant implications for all stakeholders—from Federal employee unions to private sector hosts.

While the subcommittee acknowledges that the shared service model has significant merit, and it is being employed successfully on a small scale throughout government. The scope and timeline of the FMLoB, however, have garnered criticism from nearly all stakeholders, and there are important considerations that need to be addressed as the initiative moves forward. Many important questions from the subcommittee's March hearing remain unanswered—such as how competition will be balanced among "franchise fund" service providers and "Economy Act" services providers. This hearing provided an important dialog on these and other topics and allowed the subcommittee's members to hear from additional stakeholders.

b. Witnesses.—Dr. Linda Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; Mary Mitchell, Deputy Associate Administrator, General Services Administration; James Krouse, Acting Director, Public Sector Market Analysis; Jacque Simon, Public Policy Director, American Federation of Government Employees; and Stan Z. Soloway, president, Professional Services Council.

22. *“Securing Our Ports: Information Sharing is Key to Effective Maritime Security,” July 10, 2006 (Brooklyn, NY)*

a. Summary.—This hearing allowed the members of the subcommittee, particularly those members who serve the State of New York in the Congress, an opportunity to discuss an issue of significant regional importance. Following on the April 2005 Government Accountability Office report entitled, *Maritime Security: New Structures Have Improved Information Sharing, but Security Clearance Processing Requires Further Attention* (GAO-05-394), which examined the impact of information sharing between Federal, State, and local entities on overall port security, the hearing reviewed port security efforts in and around New York City with key regional stakeholders.

Securing the Nation’s ports against a potential terrorist attack has become one of the Nation’s security priorities since the terrorist attacks of September 11, 2001. Given the fact that ports are large, sprawling enterprises that often stretch across jurisdictional boundaries, the need to share information among Federal, State, and local governments is central to effective prevention and response.

The U.S. maritime system consists of more than 300 sea and river ports with more than 3,700 cargo and passenger terminals and more than 1,000 harbor channels spread across thousands of miles of coastline. However, a large portion of maritime cargo is concentrated at a few major ports—the Top 50 ports in the United States account for about 90 percent of all cargo tonnage—including those ports in the New York City metropolitan area.

The U.S. Coast Guard and Customs and Border Protection are the Federal agencies with the strongest presence in U.S. seaports. In response to the terrorist attacks of September 11th, the Coast Guard created the largest port security operation since World War II. In addition, to raise port security standards, Congress passed the Maritime Transportation Security Act of 2002 (Public Law 107-295).

Despite these changes, government leaders and security experts continue to express concerns over the security of our ports. Factors that make ports vulnerable to a terrorist attack include their location near an urban center—such as New York; their inclusion of critical infrastructure and assets such as oil refineries and terminals; the level of port traffic; and their economic importance for the Nation’s economy and trade.

b. Witnesses.—Ray Kelly, police commissioner, city of New York; Captain Robert O’Brien, Commander, Coast Guard Sector New York and Captain, Port of New York and New Jersey; Bethann Rooney, Security Manager, Port Commerce Department, Port Authority of New York and New Jersey; and Stephen Caldwell, Acting

Director, Homeland Security and Justice Issues, U.S. Government Accountability Office.

23. *“Implementing FOIA—Does the Bush Administration’s Executive Order Improve Processing?” July 26, 2006*

a. Summary.—This hearing, the second FOIA hearing held by the subcommittee in the 109th Congress, built upon the progress of the subcommittee’s May 2005 oversight hearing on FOIA in the 21st century. Since that hearing, President Bush issued Executive Order 13392, Improving Agency Disclosure of Information on December 14, 2005. The Executive order requires agencies to review their FOIA operations, develop an agency specific plan, and report to the Attorney General and the OMB Director on their review and development and implementation of the agency plan by June 14, 2006. Agencies were also required to report on progress in implementing the Executive order in their annual reports for fiscal year 2006 and 2007. At this hearing, the subcommittee received testimony from GAO regarding trends and status of agency implementation of the FOIA Executive order, the Department of Justice regarding progress made in implementing the Executive order, and FOIA users regarding their view of the FOIA process and any improvements noticed as a result of the Executive order. In addition, Senator Cornyn, Senator Leahy, and Representative Sherman, who each have introduced FOIA legislation, testified.

b. Witnesses.—Hon. Patrick Leahy, U.S. Senator from Vermont and ranking member of the Senate Judiciary Committee; Hon. John Cornyn, U.S. Senator from Texas; Hon. Brad Sherman, Member of Congress from the 27th District of California; Dan Metcalfe, Director of DOJ’s Office of Information and Privacy; and Linda Koontz, Director of Information Management Issues, U.S. Government Accountability Office.

24. *“DHS Financial Management: Evaluating Progress in Improving Internal Controls,” September 13, 2006*

a. Summary.—This hearing reviewed the Department of Homeland Security’s efforts to comply with the internal control audit requirement of the DHS Financial Accountability Act, which was signed into law on October 16, 2004 (Public Law 108–330). As a result of that legislation, DHS must now comply with the toughest internal control standards in the Federal Government—tougher even than those in the newly revised OMB Circular A–123. Section 4 of Public Law 108–330 required DHS to include in its performance and accountability report for fiscal year 2005, an assertion of internal controls that apply to financial reporting by DHS. Beginning in fiscal year 2006 and for each year thereafter, Section 4 requires that DHS include an audit opinion of its internal controls over its financial reporting in its performance and accountability reports. This first-of-its-kind in the Federal Government requirement is an essential step to improve management operations. DHS inherited significant material weaknesses from its legacy agencies and if these deficiencies are left unresolved, they will become embedded in the fabric of how DHS manages its finances. The intent of Public Law 108–330 was to ensure that this does not happen, and that DHS wastes no time in tackling internal control issues

and developing financial management systems that will allow it to focus resources on its critical homeland security mission.

As a result of the DHS Financial Accountability Act, DHS established an Internal Controls Committee [ICC], published an internal controls implementation guide, and took aggressive steps to comply this section as well as the revised Circular A-123, including developing a corrective action plan [CAP] for all material weaknesses and reportable conditions and beginning a series of performance audits, testing the quality of the agency's internal controls. This hearing reviewed the initial efforts by DHS senior management to comply with these provisions.

b. Witnesses.—David Norquist, Chief Financial Officer, Department of Homeland Security; and David Zavada, Assistant Inspector General, Department of Homeland Security.

25. *"Banks in Real Estate: A Review of the Office of the Comptroller of the Currency's December 2005 Rulings," September 27, 2006*

a. Summary.—In December 2005, the Comptroller of the Currency ruled to allow certain national banks to invest in real estate projects, including the development of office buildings, hotel, residential condominiums and windmill farms. This action is viewed by some, including the National Association of Realtors, as a significant departure from what is permitted under the National Bank Act, and previous OCC rulings regarding the types of activities in which national banks can engage. This hearing examined the December 2005 rulings with interested individuals on both sides of the issue including the Office of the Comptroller of the Currency, the National Association of Realtors, and the American Bankers Association.

b. Witnesses.—Julie L. Williams, Chief Counsel, Office of the Comptroller of the Currency; Thomas M. Stevens, president, National Association of Realtors; Ed Yingling, president and CEO, American Bankers Association; and Cynthia C. Shelton, Director of Investment Sales, Colliers Arnold.

VII. SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS, AND INTERNATIONAL RELATIONS

1. *"Emerging Threats: Overclassification and Pseudo-Classification," March 2, 2005*

a. Summary.—Oversight of the proliferation of categories of information withheld from public view. The 9/11 Commission noted the excessive and sometimes abusive use of classification authorities, and subcategories of document markings such as "For Official Use Only" and "Sensitive but Unclassified." The Commission concluded these practices impeded the sharing of threat information. Witnesses testified on the extent and impact of inconsistent and unneeded classification standards and information access limitations.

b. Witnesses.—J. William Leonard, Director, Information Security Oversight Office National Archives and Records Administration; RADM Christopher A. McMahon, USMS, Acting Director, Departmental Office of Intelligence, Security, and Emergency Response, Department of Transportation; Harold Relyea, Specialist in Amer-

ican National Government, Congressional Research Service [CRS]; Richard Ben-Veniste, Commissioner, National Commission on Terrorist Attacks Upon the United States; Thomas Blanton, executive director, National Security Archive, George Washington University; Harry A. Hammitt, editor and publisher, Access Reports: Freedom of Information, Lynchburg, VA; and Sibel Edmonds, former Contract Linguist, Federal Bureau of Investigation.

2. *“Building Iraqi Security Forces,” March 14, 2005*

a. *Summary.*—The hearing assessed current strategies for training and equipping Iraqi security forces to counter the insurgency and establish conditions for political and economic development. Witnesses discussed the challenges transferring the internal security mission to Iraqi forces.

b. *Witnesses.*—Joseph Christoff, Director, International Affairs and Trade U.S. Government Accountability Office; Peter W. Rodman, Assistant Secretary of Defense, International Security Affairs, U.S. Department of Defense; Rear Admiral William D. Sullivan, Vice-Director, Strategic Plans and Policy, the Joint Chiefs of Staff; Ambassador Richard A. Jones, Senior Advisor to the Secretary and Coordinator for Iraq, U.S. Department of State; Bill Todd, Principal Deputy Assistant Secretary for the Bureau of International Narcotics and Law Enforcement Affairs, U.S. Department of State; Professor Anthony H. Cordesman, Arleigh A. Burke Chair in Strategy Center for Strategic and International Studies; and Kalev Sepp, professor, Naval Post Graduate School.

3. *“Assessing Anthrax Detection Methods,” April 5, 2005*

a. *Summary.*—This hearing examined the steps Federal agencies have taken to detect anthrax contamination—particularly in Federal facilities—analyze test results, validate detection protocols and improve detection methodology.

b. *Witnesses.*—Keith Rhodes, Chief Technologist, Center for Technology and Engineering, Applied Research Methods, Government Accountability Office; Dr. Tanja Popovic, Associate Director for Science, Centers for Disease Control and Prevention; Dr. Klaus Schafer, Deputy Assistant to the Secretary of Defense for Chemical and Biological Defense, Department of Defense; Dana Tulis, Deputy Director for the Office of Emergency Management Environmental Protection Agency; Thomas G. Day, vice president for engineering, U.S. Postal Service; Dr. Katherine Kelley, Association of Public Health Laboratories; William Burrus, president, American Postal Workers Union, AFL-CIO; Dr. Linda Stetzenbach, director, Microbiology Division, Harry Reid Center for Environmental Studies, University of Nevada, Las Vegas; James H. Schwartz, chief, Arlington County Fire Department; Michael P. Neuhard, chief, Fairfax County Fire and Rescue Department; Phillip Schaenman, president, Tridata Division of System Planning Corp.; and John Jester, Director, Pentagon Force Protection Agency, Department of Defense.

4. *"The U.N. Oil-for-Food Program: The Inevitable Failure of U.N. Sanctions," April 12, 2005*

a. *Summary.*—Oversight of U.N. management of the Iraq sanctions regime and the implications of widespread sanctions-busting on the U.S. approach to multilateral treaty enforcement. Witnesses from the State Department, former U.N. employees on the Iraq Sanctions ("661") Committee and others testified on the steadily dissipating support in the Security Council for the comprehensive sanctions regime levied on Iraq after the invasion of Kuwait in 1991. Patterns of explicit and implicit toleration of so-called "trade protocols," oil smuggling and other forms of sanctions-busting made the corruption of the Oil-for-Food Program likely if not inevitable. Minutes of the first 120 meetings of the 661 Committee were put on the public record for the first time, bringing unprecedented—if unwelcome—transparency to a U.N. panel.

b. *Witnesses.*—Thomas A. Schweich, Chief of Staff, U.S. Mission to the United Nations, Department of State; Dr. Paul Conlon, owner, Transjuris e.k. (Munich, Germany), former Deputy Secretary, United Nations Security Council Iraq Sanctions Committee; Andrew Mack, director, Centre for Human Security, University of British Columbia, former Director of Strategic Planning, Executive Office of the United Nations Secretary-General Kofi Annan; and Dr. Joy Gordon, associate professor of philosophy, Fairfield University.

5. *"Overseas Security: Hardening Soft Targets," May 10, 2005*

a. *Summary.*—Oversight of State Department implementation of recommendations regarding off-site security facilities and training for U.S. personnel stationed abroad. GAO reported new findings pointing to a cyclic ebb and flow of high-level attention to personnel security issues. State responded that training opportunities, duration and intensity were being increased.

b. *Witnesses.*—Jess Ford, Director, International Affairs and Trade Division, Government Accountability Office; Greg Starr, Deputy Assistant Secretary for Countermeasures, Bureau of Diplomatic Security and Foreign Missions, Department of State; Ambassador Prudence Bushnell, Dean, School of Leadership and Management, the George P. Schultz National Foreign Affairs Training Center, Department of State; Keith Miller, Director, Office of Overseas Schools, Department of State; Ambassador Wesley W. Egan, retired, chairman, 2003 Foley Accountability Review Board; Ambassador John W. Limbert, president, American Foreign Service Association; and John Petro, executive vice president and managing director, Citigroup Security and Investigative Service, Citigroup.

6. *"Fostering Democracy in the Middle East: Defeating Terrorism with Ballots," May 17, 2005*

a. *Summary.*—In his second inaugural address, President George W. Bush said, "The concerted effort of the free nations to promote democracy is a prelude to our enemies' defeat." The hearing examined the "Bush Doctrine," and former Israeli Minister Natan Sharansky's book, "The Case for Democracy: The Power of Freedom to Overcome Tyranny and Terror." Additionally, Mithal A-Alusi, secretary of the Democratic Party of the Iraqi Nation and former

director general of the interim government's de-Ba'athification Commission discussed the prospects for democracy in Iraq.

b. Witnesses.—Former Israeli Minister Natan Sharansky, author of “The Case for Democracy: The Power of Freedom to Overcome Tyranny and Terror;” Mithal Al-Alusi, Democratic Party of the Iraqi Nation; Elizabeth Dugan, vice president, International Republican Institute; Leslie Campbell, director for Middle East Programs, National Democratic Institute for International Affairs; Febe Armanios, professor for Middle Eastern Studies, Middlebury College; Khaled Saffuri, chairman of the Board, Islamic Free Market Institute; and Mona Yacoubian, special adviser, Muslim World Initiative, U.S. Institute of Peace.

7. *“DOD Excess Property: Throwing Away Millions,” June 7, 2005*

a. Summary.—Oversight of the Defense Reutilization Marketing Service and management of the processes to dispose of excess DOD property. GAO auditors and investigators determined that defense agencies and military services had discounted or given away more than \$400 million in commercial items while other units purchased the same material at higher acquisition prices. DOD agreed to recommendations to strengthen inventory and management controls.

b. Witnesses.—Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Alan F. Estevez, Assistant Deputy Under Secretary of Defense (Supply Chain Integration) Department of Defense; MG Daniel Mongeon, Director for Logistics Operations, Defense Logistics Agency; and Colonel Patrick E. O'Donnell, Commander, Defense Reutilization and Marketing Service.

8. *“Elusive Antidotes: Progress Developing Chemical, Biological, Radiological and Nuclear Countermeasures,” June 14, 2005*

a. Summary.—This hearing examined the interagency process used to develop medical countermeasures to CBRN weapons, and how that process is linked to validated threats. In addition, the hearing examined the efficiency and effectiveness of steps to identify, evaluate, prioritize and acquire countermeasures.

b. Witnesses.—Dr. Dale Klein, Assistant to the Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, Department of Defense; Dr. Anthony S. Fauci, Director of the National Institute of Allergy and Infectious Disease, National Institute of Health; Stewart Simonson, Assistant Secretary for Public Health Emergency Preparedness, Department of Health and Human Services; Dr. John Vitko, Jr., Director of Biological Countermeasures Portfolio Science and Technology Directorate, Department of Homeland Security; Dr. Ronald J. Saldarini, Scientific Consultant, Institute of Medicine; Dr. Michael G. Hanna Jr., chairman (emeritus) and chief scientific officer, Intracel; and Dr. James H. Davis, executive vice president and general counsel, Human Genome Sciences, Inc.

9. *"The Development Fund for Iraq: U.S. Management of Iraq Oil Proceeds and Compliance with U.N. Security Council Resolution 1483," June 21, 2005*

a. Summary.—Oversight of Department of Defense [DOD], State and Coalition Provisional Authority [CPA] efforts to meet commitments to manage the DFI transparently and for the benefit of the Iraqi people. Witnesses described the contracting and audit processes used to track DFI expenditures. Discussion centered on the process used to provide redacted DCAA audits to the United Nations.

b. Witnesses.—Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction Department of Defense; William Reed, Director, Defense Contract Audit Agency [DCAA], Department of Defense; Colonel Emmett H. Du Bose, Jr., Deputy Commander of the Southwestern Division, U.S. Army Corps of Engineers, Department of the Army; Joseph A. Benkert, Deputy Director, Defense Reconstruction Support Office, Office of the Secretary of Defense; David Norquist, Under Deputy Secretary of Defense for Resource Planning and Management, Department of Defense; Stan Z. Soloway, president, Professional Service Council [PSC]; and Richard Garfield, Dr.PH./R.N., Columbia University.

10. *"Occupational and Environmental Health Surveillance of Deployed Forces: Tracking Toxic Causalities," July 19, 2005*

a. Summary.—This hearing examined how the military services have implemented Department of Defense policies for collecting and reporting Occupational and Environmental Health Surveillance [OEHS] data for deployed forces and how OEHS reports were used to address health issues of service members.

b. Witnesses.—Brian Scott La Morte, Company Sergeant Major, B Co., 3rd Battalion, 20th Special Forces Group, North Carolina Army National Guard; Raymond Ramos, retired Staff Sergeant, 442nd Military Police Co., New York National Guard; David Chasteen, Operation Iraqi Freedom veteran, Associate Director of Operation Truth; Dr. Marcia Crosse, Director, Health Care, Government Accountability Office; Dr. Michael Kilpatrick, Deputy Director of the Deployment Health Support Directorate, Department of Defense; and Dr. Susan Mather, Chief Officer, Public Health and Environmental Hazards, Department of Veterans Affairs.

11. *"DOE/ESE Security: How Ready is the Protective Force," July 26, 2005*

a. Summary.—Oversight of the DOE Office of Energy, Science and Environment programs to safeguard special nuclear materials in non-weapons facilities. GAO reported protective forces at ESE facilities generally meet current standards but found it unlikely they would be able to meet the 2008 target to meet stronger security standards. DOE witnesses defended efforts to implement the post-September 11th safeguards standard, called the Design Basis Threat. Members questioned why it would take 3 or more additional years to meet the current threat.

b. Witnesses.—Eugene E. Aloise, Director, Natural Resources and Environment, Government Accountability Office; Gregory H. Friedman, Inspector General Department of Energy; Glenn S. Podonsky,

Director, Office of Security and Safety Performance Assurance, Department of Energy; Dr. Lawrence Brede, Director, Wackenhut DOE Operations; Robert Walsh, Security Manager, Office of Energy, Science and Environment, Department of Energy; and Glenn Adler, Security Policy, Service Employees International Union [SEIU].

12. *"Combating Terrorism: Visas Still Vulnerable," September 13, 2005*

a. Summary.—Oversight of steps taken by the Departments of Homeland Security and State to address gaps and vulnerabilities in the non-immigrant visa application and screening process. GAO released a report requested by the subcommittee on steps taken to strengthen the visa process as a security tool. The study found some improvements but persistent problems with staffing, training, surge capacity and strategic direction. Witnesses from State, DHS, and former consular officials described the challenges in effectively screening non-immigrant visa applicants.

b. Witnesses.—Jess Ford, Director, International Affairs and Trade Division, Government Accountability Office; Ambassador John E. Lange, Deputy Inspector General, Department of State; Tony Edson, Acting Assistant Secretary for Visa Services, Bureau of Consular Affairs, Department of State; Elaine Dezenski, Acting Deputy Assistant Secretary for Policy, Border and Transportation Security, Department of Homeland Security; Clark Kent Ervin, director, Homeland Security Initiative, Aspen Institute; Dr. James Jay Carafano, senior fellow, the Heritage Foundation; Susan Ginsberg, former Senior Counsel, the National Commission on Terrorist Attacks upon the United States ("9/11 Commission"); and John Daniel Morris, Retired General Counsel, U.S. Mission to Beijing, China.

13. *"Iraq: Perceptions, Realities and Cost to Complete," October 18, 2005*

a. Summary.—Oversight organizations—the Government Accountability Office [GAO] and several Inspectors General [IG]—published more than 80 reports on Iraq reconstruction and other aspects of U.S. support for post-Saddam Iraq. Witnesses from GAO, the Special Inspector General for Iraq Reconstruction and IGs from other agencies discussed their oversight findings and recommendations.

b. Witnesses.—Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; Howard J. Krongard, Inspector General, Department of State; Joseph Christoff, Director, International Trade, U.S. Government Accountability Office; Thomas Gimble; Acting Inspector General, Department of Defense; Bruce N. Crandlemire, Acting Inspector General, U.S. Agency for International Development; Joyce Morrow, U.S. Army Auditor General; Professor Mary Habeck, the Paul H. Nitze School of Advanced International Studies, the John Hopkins University; Judy Van Rest, executive vice president, International Republican Institute; and Les Campbell, senior associate and regional director, Middle East and North Africa National Democratic Institute.

14. *"Homeland Security: Surveillance and Monitoring of Explosive Storage Facilities, Part II," October 31, 2005 (San Mateo, CA)*

a. Summary.—Field Hearing in San Mateo, CA to assess follow-up activities by local, State and Federal officials after last year's theft of explosive from a public storage facility. Witnesses testified on the patchwork of security standards and regulatory oversight schemes that applies to public ordnance magazines. In contrast, private manufacture and storage facilities are subject to stringent security, safety and inspection regimes. Compliance by public facilities is voluntary. State and local regulation is inconsistent. A panel of local witnesses and industry experts testified on the potential threat posed by explosives magazines and what should be done to standardize security and limit risks.

b. Witnesses.—Laurie E. Ekstrand, Director, Homeland Security and Justice Team, Government Accountability Office; Michael Gullledge, Director, Office of Evaluation and Inspections Division, Office of the Inspector General, Department of Justice; Lewis P. Raden, Assistant Director, Enforcement Programs and Services Division, Bureau of Alcohol, Tobacco and Firearms; Fernando Gonzalez, battalion chief, Fort Worth Fire Department; Dr. Tibor G. Rozgonyi, professor and head, Mining Engineering Department, Colorado School of Mines; Sgt. Stanley Mathiasen, chairman, National Bomb Squad Commanders Advisory Board; Dr. Vilem Petr, assistant research professor, Mining Engineering Department, Colorado School of Mines; James Christopher Ronay, president, the Institute of Makers of Explosives [IME]; Don Horsley, county sheriff, San Mateo County Sheriff's Office; and Lt. Gary Kirby, San Jose Police Department.

15. *"Examining VA Implementation of the Persian Gulf War Veterans Act of 1998," November 15, 2005*

a. Summary.—This hearing examined the implementation of the Persian Gulf War Veterans Act of 1998, specifically VA compliance with the statutory mandate to assess the extent and weight of data from animal studies in determinations of presumptive causality of disease not just as that data might suggest the plausibility of a biological mechanism.

b. Witnesses.—Mike Woods, Gulf War veteran; Steve Robinson, executive director, National Gulf War Resources Center, Inc.; Jim Binns, chairman, Research Advisory Committee on Gulf War Veterans Illnesses; Dr. Rogene Henderson, senior scientist, Lovelace Respiratory Research Institute; Dr. James P. O'Callaghan, Head, Molecular Neurotoxicology Laboratory and CDC Distinguished Consultant, Toxicology and Molecular Biology Branch Health Effects Laboratory Division, Centers for Disease Control and Prevention; Dr. Susan Mather, Chief Officer, Public Health and Environmental Agents Service, Department of Veterans Affairs; Dr. Lynn Goldman, professor of occupational and environmental health, Department of Environmental Health Sciences, John Hopkins Bloomberg School of Public Health, Institute of Medicine; and Dr. Sam Potolicchio, professor of neurology, Department of Neurology, the George Washington University Medical Center, Institute of Medicine.

16. *"International Maritime Security," December 13, 2005*

a. Summary.—The hearing examined international maritime security, including jurisdictional conflicts and coordination of assistance in the event of an attack. The hearing was designed to help Congress and the public understand the threat to shipping from pirates and terrorists, how the United States responds and the security and safety of passengers aboard foreign flagged vessels.

b. Witnesses.—Chris Swecker, Assistant Director, Criminal Investigation Division, Federal Bureau of Investigation; Rear Admiral Wayne Justice, Director for Operations Policy, U.S. Coast Guard; Rear Admiral John Crowley Judge Advocate General, U.S. Coast Guard; Rear Admiral James McPherson, the Judge Advocate General, U.S. Navy; Michael Crye, president, International Council of Cruise Lines; Greg Purdy, director of security, Royal Caribbean Cruise Lines; and Charley Mandigo, Holland America Lines Inc.

17. *"National Security Whistleblowers in the post-September 11th Era: Lost in a Labyrinth and Facing Subtle Retaliation," February 14, 2006*

a. Summary.—The hearing examined whether whistleblower protections sufficiently shield government employees in national security agencies against certain types of retaliation. Revocation of an employee's national security clearance may be a method used for retaliation against government whistleblowers. The result is that an employee whose security clearance is revoked may be fired without recourse. No independent procedure for due process exists to provide a means for redress in cases of security clearance retaliation. There are currently very limited opportunities for employees of the CIA, DOD and DOJ [FBI], among others, to seek redress when their security clearance is revoked. Each department and agency has been left to deal with issues of security clearance reprisals on their own. A closer review of these efforts on the part of the agencies and departments will help shape legislation to close loopholes in the law.

b. Witnesses.—SPC Samuel J. Provance, USA, Department of the Army; Lt. Colonel Anthony Shaffer, USAR; Michael German; Russell Tice; Richard Levernier; Mark S. Zaid, esq.; Beth Daley, senior investigator, Project on Government Oversight; Tom Devine, legal director, Government Accountability Project; Dr. William G. Weaver, National Security Whistleblowers Coalition; James McVay, Deputy Special Counsel, U.S. Office of the Special Counsel; Glenn A. Fine, Inspector General, Office of the Inspector General, Department of Justice; Gregory H. Friedman, Inspector General, Office of the Inspector General, Department of Energy; Thomas Gimble, Acting Inspector General, Office of the Inspector General, Department of Defense; Jane Deese, Director, Military Reprisal Investigations, Office of the Inspector General, Department of Defense; and Daniel Meyer, Director, Civilian Reprisal Investigations, Office of the Inspector General, Department of Defense.

18. *"Progress Since September 11th: Protecting Public Health and Safety Against Terrorist Attacks," February 28, 2006*

a. Summary.—The hearing examined surveillance, monitoring, diagnosis and treatment of illnesses related to the September 11th

attacks and assess public health and safety preparedness against future attacks. Though improvements have been made in both response programs and safety preparedness against future attacks, there are still steps needed to be taken to assess public health in the event of an attack.

b. Witnesses.—Cynthia Bascetta, Director, Health Care, Government Accountability Office; Ronaldo Vega, architect, city of New York Department of Design and Construction [DDC]; Marvin Bethea, NYC paramedic; Dr. Stephen M. Levin, co-director of the World Trade Center Worker and Volunteer Medical Screening Program, medical director of the Mount Sinai-Selikoff Center for Occupational and Environmental Medicine; Dr. Kerry J. Kelly, FDNY chief medical officer, Bureau of Health Services, co-director FDNY-WTC Medical Program FDNY; Dr. John Howard, Director, National Institute for Occupational Health [NIOSH], Centers for Disease Control and Prevention [CDC], Department of Health and Human Services [HHS].

19. *“International Maritime Security II: Law Enforcement, Passenger Security and Incident Investigation on Cruise Ships,” March 7, 2006*

a. Summary.—The hearing examined the effectiveness of current regimes governing international maritime security, including law enforcement, passenger security and incident investigation aboard cruise ships. Cruise ships are not mandated by law to report incidents involving U.S. citizens occurring on their vessels outside U.S. international waters. Legislation should be drafted which mandates such reporting.

b. Witnesses.—Kendall Carver; Son Michael Pham; Deborah Shaffer; Janet Kelly; Ira Leonard; Brian Mulvaney; Brett Rivkind, Rivkind, Pedraza and Margulies, P.A; Ron Gorsline, Secure Ocean Service, LLC; Lawrence W. Kaye, Kaye Rose and Partners, LLP; Charley Mandigo, director, Fleet Security, Holland America Lines; Captain William S. Wright, senior vice president, marine operations, Royal Caribbean International; and Dr. James Fox, Northeastern University, the Lipman Family professor of criminal justice.

20. *“Drowning in a Sea of Faux Secrets: Policies on Handling of Classified and Sensitive Information,” March 14, 2006*

a. Summary.—The hearing examined current practices for handling sensitive information and recommendations to prevent the overuse of classifications and other access restrictions. DOE and DOD policy for designating government records Official Use Only [OUO] and For Official Use Only [FOUO] lacks clarity. DOE and DOD policy allows for inconsistent application of FOUO/OUO designations. FOUO/OUO designations could be used to cover up agency mismanagement. Intelligence agencies are removing and reclassifying government documents previously declassified and in the public domain.

b. Witnesses.—Professor Allen Weinstein, Archivist of the United States, National Archives and Records Administration; J. William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; Davi M. D’Agostino, Direc-

tor, Defense Capabilities and Management, Government Accountability Office; Robert Rogalski, Acting Deputy Under Secretary of Defense for Counterintelligence and Security, Department of Defense; Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance, Department of Energy; Thomas Blanton, executive director, National Security Archive, George Washington University; Dr. Anna Nelson, distinguished historian in residence, American University; and Matthew Aid.

21. *“Setting Post-September 11th Investigative Priorities at the Bureau of Immigration and Customs Enforcement,” March 28, 2006*

a. Summary.—The hearing examined how investigative priorities are set at the Department of Homeland Security [DHS] Bureau of Immigration and Customs Enforcement [ICE], given its various and sometimes competing missions including national security, financial investigations, narcotics smuggling, immigration affairs, and human trafficking. The Bureau of Immigration and Customs Enforcement requires additional safeguards and regulations to be sure national security considerations are included in decisions to allocate investigative resources.

b. Witnesses.—Richard M. Stana, Director, Homeland Security and Justice Issues, U.S. Government Accountability Office; Richard L. Skinner, Inspector General, U.S. Department of Homeland Security; Robert Schoch, Deputy Assistant Director, National Security Division, Immigration and Customs Enforcement Office of Investigations, U.S. Department of Homeland Security; Dr. Joseph Ryan, chair and professor of criminal justice and sociology, Pace University; Caroline Fredrickson, director, ACLU Washington Legislative Office; Joseph Webber, Special Agent in Charge (retired), Bureau of Immigration and Customs Enforcement, U.S. Department of Homeland Security; Dr. Fouad Ajami, Director of Middle East Studies, School of Advanced International Studies, Johns Hopkins University; Dr. James Fearon, professor of political science, Stanford University; and Dr. Peter Galbraith, National War College.

22. *“Nuclear Security: Has the NRC Strengthened Facility Standards Since September 11th?” April 4, 2006*

a. Summary.—The hearing examined Nuclear Regulatory Commission [NRC] efforts to set Design Basis Threat security standards for nuclear power facilities. The Nuclear Regulatory Commission [NRC] moved quickly to improve the security of nuclear power plants in the aftermath of September 11, 2001. Only one-third of the Nation’s nuclear power facilities have undergone force-on-force exercises under the new Design Basis Threat [DBT]. DBT security standards should be based on security needs, not the financial impact on the nuclear power industry.

b. Witnesses.—Jim Wells, Director, Natural Resources and Environment, Government Accountability Office; Nils Diaz, chairman, U.S. Nuclear Regulatory Commission; Gregory B. Jaczko, Commissioner, U.S. Nuclear Regulatory Commission; Edward McGaffigan, Jr., Commissioner, U.S. Nuclear Regulatory Commission; Jeffrey S. Merrifield, Commissioner, U.S. Nuclear Regulatory Commission; Richard Blumenthal, attorney general, State of Connecticut;

Danielle Brian, executive director, Project on Government Oversight; Marvin Fertel, vice president and chief nuclear officer, Nuclear Energy Institute; and Chris Crane, president and chief nuclear officer, Exelon Generation Co., LLC.

23. *"A New Assessment of Iraq," April 25, 2006*

a. Summary.—The hearing examined the status of Iraq's reconstruction, governance and security, specifically addressing efforts to establish public access to essential services, to form a unity government and to grow the Iraqi security and police forces. The Government Accountability Office has renewed efforts to conduct on the ground assessments in Iraq. These assessments provide an objective explanation of the situation rather than the subjective perspectives provided by the media and the administration.

b. Witness.—David M. Walker, Comptroller General of the United States, Government Accountability Office.

24. *"U.N. Sanctions After Oil-for-Food: Still A Viable Diplomatic Tool?" May 2, 2006*

a. Summary.—The hearing examined the viability of future United Nations [UN] sanctions in light of the Oil-for-Food scandal and UN management reforms.

Hearing Message: UN sanctions serve as a tool of statecraft that provides an alternative to armed conflict. During the UN sanctions regime in Iraq, the humanitarian Oil-for-Food program [OFFP], designed to ease sanctions' effects on the Iraqi public, lacked oversight and accountability and instead fostered vast corruption that arguably was responsible for failure of the sanctions. UN reforms currently proposed or underway must be implemented so that sanctions can continue to function as a credible and powerful diplomatic tool.

b. Witnesses.—John R. Bolton, Ambassador, Permanent U.S. Representative to the United Nations; Joseph A. Christoff, Director, International Affairs and Trade Team, U.S. Government Accountability Office; Carne Ross, director, Independent Diplomat; Dr. George A. Lopez, senior fellow and professor of political science, the Joan B. Kroc Institute for International Peace Studies, University of Notre Dame.

25. *"Anthrax Protection: Progress or Problems?" May 9, 2006*

a. Summary.—The hearing examined what has been done and what is left to do to protect the Nation after an anthrax attack. In particular, the hearing focused on the availability of medical countermeasures, and the government's ability to accurately detect anthrax inside a building. While the government has taken steps to protect the Nation after an anthrax attack by increasing research spending on countermeasures, purchasing antibiotics and anthrax vaccine, concerns remain regarding the status of anthrax vaccine production and the ability of the government to accurately detect anthrax. The Department of Homeland Security would not take responsibility for developing a formal strategic plan that would lead to the validation of the overall sampling process. The Department of Defense has also failed to release a RAND Corp. report commissioned by DOD and in draft form since 1999 entitled, "A Review

of the Scientific Literature As It Pertains to Gulf War Illnesses, Volume 3: Immunizations.”

b. Witnesses.—Keith Rhodes, Chief Technologist, Center for Technology and Engineering, Applied Research and Methods, Government Accountability Office; Ellen P. Embrey, Deputy Assistant Secretary of Defense for Health Affairs for Force Health Protection and Readiness, Department of Defense; Jean Reed, Special Assistant to the Secretary of Defense for Chemical and Biological Defense Programs, Department of Defense; Dr. Gerald Parker, Deputy Assistant Secretary for Public Health Preparedness, Department of Health and Human Services; Dr. Richard Besser, Director Office of Terrorism Preparedness and Emergency Response, Centers for Disease Control and Prevention; Dr. Susan Elizabeth George, Deputy Director of Biological Countermeasures Portfolio, Department of Homeland Security; Dana Tulis, Deputy Director for the Office of Emergency Management, Environmental Protection Agency; and Mark Durno, On-Scene Coordinator [OSC] EPA Region 5, Environmental Protection Agency.

26. *“Energy as a Weapon: Implications for U.S. Policy,” May 16, 2006 (Joint Hearing with the Subcommittee on Energy and Resources)*

a. Summary.—The hearing examined how global oil market conditions affect petroleum prices. Global oil market conditions are largely demand driven due to economic growth and increased demand from Asia and the United States. There is little or no spare production capacity in the world market and any event perceived to have an impact on the market causes extreme concern in high volatility in prices. As a result the United States is more vulnerable to a catastrophic supply shock, especially considering the current geopolitical environment.

b. Witnesses.—Karen Harbert, Assistant Secretary for Policy and International Affairs, Department of Energy; Paul Simons, Deputy Assistant Secretary for Energy, Sanctions, and Commodity Policy, Department of State; Dr. Daniel Yergin, Cambridge Energy Research Associates; Ambassador Keith C. Smith, senior associate, Center for Strategic and International Studies; and David Goldwyn, Goldwyn International Strategies.

27. *“9/11 Commission Recommendations: Balancing Civil Liberties and Security,” June 6, 2006*

a. Summary.—The hearing examined the implementation status of 9/11 Commission recommendations, with particular focus on those related to the protection of civil liberties. The government’s implementation of 41 national security recommendations from the 9/11 Commission is proceeding slowly and inadequately. This includes the establishment of a Privacy and Civil Liberties Oversight Board, only now functioning nearly 2 years after its mandate and lacking the power needed to effectively perform its job. The progress implementing 9/11 Commission recommendations is not sufficient, and we must continue to focus efforts to protect American citizens.

b. Witnesses.—Thomas H. Kean, chair, National Commission on Terrorist Attacks Upon the United States, president, THK Consult-

ing; Lee H. Hamilton, vice chair, National Commission on Terrorist Attacks Upon the United States, director, the Woodrow Wilson International Center for Scholars; Carol E. Dinkins, chairman, Privacy and Civil Liberties Oversight Board, the White House; Alan Charles Raul, vice chairman, Privacy and Civil Liberties Oversight Board, the White House; Mary Fetchet, New Canaan, CT, mother of Brad, an employee of Keefe, Bruyette and Woods in Tower 2 of the World Trade Center; Carol Ashley, Rockville Centre, NY, Mother of Janice Ashley, an employee of Fred Alger, management in the World Trade Center; Abraham Scott, Springfield, VA, husband of Janice Marie Scott, an employee of the Pentagon; and Don Goodrich, Bennington, VT, father of Peter Goodrich of Boston, a passenger on board United Flight 175 that crashed into the World Trade Center.

28. *“Private Security Firms: Standards, Cooperation and Coordination on the Battlefield,” June 13, 2006*

a. *Summary.*—The hearing examined the operations of private security firms in Iraq, the governing legal framework and the adequacy of coordination with the U.S.-led Coalition military forces in Iraq. Private security firms have been essential to provide security for both U.S. Government civilian agencies in Iraq and private companies carrying out reconstruction projects. Better tracking of the costs of such security needs to be implemented by the Executive branch, and coordination by private security firms with the Coalition military should be improved, and a training package on encounters with those firms for U.S. military units deploying to Iraq should be adopted.

b. *Witnesses.*—William M. Solis, Director, Defense Capabilities and Management, Government Accountability Office; Shay Assad, Director, Defense Procurement and Acquisition Policy, Department of Defense; Greg Starr, Deputy Assistant Secretary, Bureau of Diplomatic Security, Department of State; James Kunder, Assistant Administrator for the Near East and Africa, U.S. Agency for International Development; Chris Taylor, vice president, Blackwater USA; Major General Robert Rosenkranz (U.S. Army, retired) president, International Technical Service, DynCorp International; Ignacio Balderas, former CEO and current Board of Directors member, Triple Canopy; Doug Brooks, president, International Peace Operations Association; and Alan Chvotkin, esq., senior vice president and counsel, Professional Services Council.

29. *“Sexual Assault and Violence Against Women in the Military and at the Academies,” June 27, 2006*

a. *Summary.*—The hearing examined efforts by the Department of Defense to address sexual assault and violence against women in the military and at the academies. The military and respective academies have taken steps to address sexual assault and violence against women in the military, however challenges remain. DOD has also not yet appointed members to serve on the Task Force looking into sexual assault in the Armed Forces and until members are appointed the work will not be begin. The Coast Guard also falls under the Department of Homeland Security and therefore

any changes in DOD sexual assault policy will not necessarily affect the Coast Guard.

b. Witnesses.—Delilah Rumber, executive director, Pennsylvania Coalition Against Rape, National Sexual Violence Resource Center; Christine Hansen, executive director, the Miles Foundation, Inc.; Beth Davis, former U.S. Air Force Academy Cadet; Dr. Kaye Whitley, Acting Director, Sexual Assault Prevention and Response Office, Department of Defense; Vice Admiral Rodney P. Rempt, superintendent of the U.S. Naval Academy; Brigadier General Robert L. Caslen, Jr., commandant of the U.S. Military Academy; Brigadier General Susan Y. Desjardins, commandant of the U.S. Air Force Academy; and Rear Admiral Paul J. Higgins, Director of Health and Safety, U.S. Coast Guard.

30. *“Evolving National Security Strategy for Victory in Iraq,” July 11, 2006*

a. Summary.—The hearing examined whether the National Strategy for Victory in Iraq contains the elements essential to a sound strategy. Three elements found by the GAO to be lacking in the November 2005 National Strategy have now been incorporated: costs are included in budget submissions to the Congress, coordination with the Iraqi Government was initiated with the formation of the Iraqi Government in June 2006, and coordination among Executive branch agencies is more detailed.

b. Witnesses.—David M. Walker, Comptroller General of the United States; Joseph Christoff, Director of International Affairs, Government Accountability Office; Ambassador James Jeffrey, Senior Advisor on Iraq to the Secretary of State and Principal Deputy Assistant Secretary of State for the Middle East, Department of State; Brigadier General Michael Jones, Deputy Director for Political Military Affairs, Joint Chiefs of Staff; Dr. Kenneth Pollack, director of Middle Eastern policy, Brookings Institution; Dr. Laith Kubba, senior director for Middle East and North Africa, National Endowment for Democracy; Dr. Anthony Cordesman, Admiral Arleigh Burke chair in strategy, Center for Strategic and International Affairs; and Dr. Kenneth Katzman, specialist in Middle East affairs, Congressional Research Service.

31. *“Global War on Terrorism [GWOT]: Accuracy and Reliability of Cost Estimates,” July 18, 2006*

a. Summary.—The hearing examined accuracy and reliability of total and future costs to pay for the global war on terrorism using supplemental and bridge appropriations. The Department of Defense and the Department of State have not provided Congress with accurate cost projections for military and diplomatic operations for the Global War on Terrorism. Funding for the Global War on Terrorism is not requested through normal baseline budgets appropriated to the Departments of Defense and State.

b. Witnesses.—David M. Walker, Comptroller General of the United States Government Accountability Office; Bradford R. Higgins, Assistant Secretary, Chief Financial Officer, Bureau of Resource Management, Department of State; John P. Roth, Deputy Comptroller (Program/Budget), Office of the Undersecretary of Defense (Comptroller), Department of Defense; James R. Kunder, As-

sistant Administrator for Asia and the Near East, U.S. Agency International Development; Donald B. Marron, Acting Director, Congressional Budget Office; and Amy F. Belasco, Specialist in National Defense, Foreign Affairs, Defense and Trade Division, Congressional Research Service.

32. *“DOD Excess Property: Inventory Control Breakdowns Present a Security Risk,” July 25, 2006*

a. Summary.—The hearing examined whether effective controls are in place to prevent military equipment from falling into the wrong hands and whether the Defense Logistics Agency and the Defense Reutilization and Marketing Service have developed effective solutions to non-integrated excess commodity and excess inventory systems and processes. The Department of Defense does not have management controls in place to assure that excess military inventory is reutilized to the maximum extent possible. The Department of Defense lacks Reliable inventory controls, processes and systems to account for excess military property. There is rampant waste and the potential for fraud and abuse of the Department of Defense [DOD] program for the reuse of excess military property.

b. Witnesses.—Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Gayle L. Fischer, Assistant Director, Forensic Audits and Special Investigations, Government Accountability Office; John J. Ryan, Assistant Director/Special Agent, Forensic Audits and Special Investigations, Government Accountability Office; Richard C. Newbold, Special Agent, Forensic Audits and Special Investigations, Government Accountability Office; Alan F. Estevez, Assistant Deputy Under Secretary of Defense (Supply Chain Integration), Department of Defense; MG Bennie E. Williams, Director for Logistics Operations, Defense Logistics Agency; and Paul Peters, Director, Defense Reutilization and Marketing Service, Department of Defense.

33. *“HIV Prevention: The President’s Emergency Plan for AIDS Relief,” September 6, 2006*

a. Summary.—This hearing examined the Prevention component of the President’s Emergency Plan for AIDS Relief [PEPFAR], a \$15 billion 5-year initiative to fight HIV/AIDS, in which one third of HIV prevention funds must by law be devoted to abstinence-only programming. The President’s Emergency Plan for AIDS Relief [PEPFAR] represents an unparalleled commitment by the United States to global public health and development, but the program faces legitimate scrutiny for disproportionately devoting HIV prevention resources to abstinence-until-marriage programming. Ambassador Mark Dybul’s participation marked his first time testifying before Congress following his August 2006 Senate confirmation as Global AIDS Coordinator. Witness testimony and discussion at the hearing supported the contention that mandating one third of HIV prevention resources to abstinence-only programming lacks scientific basis and implies political motivation. This reinforced the message of an April 2006 GAO report entitled, “Global Health: Spending Requirement Presents Challenges for Allocating Prevention Funding Under the President’s Emergency Plan For AIDS Re-

lief.” The hearing further informed pending legislation on the PATHWAY Act of 2006, which includes a provision to repeal the one-third earmark. The discussion also spurred continued subcommittee investigation on the results, monitoring and evaluation the Office of the Global AIDS Coordinator must present on PEPFAR programming.

b. Witnesses.—Mark R. Dybul, U.S. Global AIDS Coordinator, U.S. Department of State; Kent Hill, Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development; Dr. David Gootnick, Director, International Affairs and Trade, Government Accountability Office; Dr. Helene Gayle, president and chief executive officer, CARE USA; Dr. Lucy Sawere Nkya, member of Tanzanian Parliament (MP, Women Special Seats), medical chairperson, Medical Board of St. Mary’s Hospital Morogoro, director, Faraja Trust Fund; and Dr. Edward C. Green, senior research scientist, Harvard Center for Population and Development Studies.

34. *“Progress Since September 11th: Protecting Public Health and Safety of the Responders and Residents,” September 8, 2006 (New York, NY)*

a. Summary.—The hearing examined federally funded programs that register, screen, monitor and treat individuals who were in the vicinity of the World Trade Center [WTC] following the September 11th terrorist attacks. Monitoring, treatment and funding for post September 11th health effects on individuals who responded to or lived near the World Trade Center needs further examination and improvements to address the health needs of all individuals. HHS stated that the \$75 million in appropriations to programs providing health screening, long-term monitoring and treatment for WTC responders would begin to be distributed in October 2006, rather than February 2007. Improvements are being made to encompass all individuals who were in the vicinity of the World Trade Center, including residents of Lower Manhattan and Federal responders.

b. Witnesses.—Cynthia Bascetta, Director, Health Care, Government Accountability Office; Joseph Zadroga, Little Egg Harbor Township, NJ; Steven Centore, Flanders, NY; Lea Geonimo, New York, NY; Lawrence Provost, Virginia Beach, VA; John Howard, M.D., M.P.H., J.D., Director, National Institute for Occupational Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Dr. Robin Herbert, co-director of the World Trade Center Worker and Volunteer Medical Screening Program, Mt. Sinai Hospital; Thomas R. Frieden, M.D., M.P.H., commissioner, New York City Department of Health and Mental Hygiene; Nicholas Scoppetta, commissioner, Fire Department of New York; Dr. Joan Reibman, associate professor of medicine, NYU Medical Center, director, Bellevue Hospital World Trade Center Health Impacts Clinic.

35. *“Iraq: Democracy or Civil War?” September 11–13–15, 2006*

a. “When Can Iraq Assume Full Internal Security Responsibilities?” September 11, 2006

a. Summary.—The hearing examined whether the 325,000 personnel level for the Iraqi Security Forces [ISF] that is scheduled to

be reached on December 31, 2006 is sufficient to provide internal security for Iraq. Experts testified that successful counter-insurgencies have historically required 20 security personnel per 1,000 persons, which in the case of Iraq equates to a security force of approximately 520,000 personnel. Department of Defense witnesses were not able to identify the rationale or the factors that were analyzed to set the 325,000 personnel level for the ISF. It is clear, based on previous insurgencies the 325,000 personnel level is not adequate given the strength of the insurgency and the complexity of the Iraq security situation. In a letter to the Department of Defense, the subcommittee recommended a reassessment of the end strength of the ISF to be completed as quickly as possible, including an assessment of whether Iraq should adopt a draft for military service and if ISF capabilities can be tied to U.S. troop drawdown.

b. Witnesses.—Eric Edelman, Under Secretary of Defense for Policy; Rear Admiral William D. Sullivan, Vice Director for Strategic Plans and Policy for the Joint Chiefs of Staff; retired Army Major General William Nash, director of the Center for Preventive Action at the Council on Foreign Relations; Dr. Bruce Hoffman, professor of strategic studies at Georgetown University; and Alan King, who commanded a Civil Affairs Battalion in Iraq and was advisor for Tribal Affairs to the U.S. authorities.

*b. “What Will it Take to Achieve National Reconciliation?”
September 13, 2006*

a. Summary.—The hearing examined the positions of the Shia, Sunni and Kurds on the main issues associated with national reconciliation: 1) sharing oil revenue, 2) reforming de-Ba’athification, 3) creating autonomous regions (“Federalism”), and 4) controlling militias. Testimony by Iraqis representing the Shia, Sunni and Kurds revealed wide differences among them on the issues associated with national reconciliation, the timelines for reaching agreement on the issues, and a lack of political will to reach agreement. The subcommittee recommended timelines be set for agreement on each of the issues in national reconciliation, similar to the timelines that earlier produced agreements on elections, the constitution, and the formation of transitional and interim governments, and the current government.

b. Witnesses.—Qubad Talabani, representative of the Kurdish Regional Government; Dr. Hajim Al-Hassani, former Speaker of the Iraqi Parliament and a Sunni Member of Parliament; Karim Al-Musawi, representative of the largest political party in Iraq, the Supreme Council for the Islamic Revolution in Iraq [SCIRI], a Sh’ia party; Ambassador David Satterfield, Senior Advisor on Iraq; and James Bever, Deputy Assistant Administrator, Near East and Asia, U.S. Agency for International Development.

c. “What are the Consequences of Leaving Iraq?” September 15, 2006

a. Summary.—The hearing examined the consequences for the United States, Iraq, and the Middle East region if the United States withdraws from Iraq in the event: 1) the current level of insurgent and sectarian violence increases, or 2) civil war occurs, or

3) Iraq requests the United States to withdraw. Experts testified a hasty United States withdrawal would likely open the way for increased violence and civil war in Iraq, and give Iran a stronger role in Iraq and the oil-rich Gulf States. Gradual withdrawal as Iraqi Security Forces take the lead in security operations, with a U.S. force remaining in the region to deal with any Al Qaeda threat in Iraq and as a hedge against Iraq neighbors was recommended.

b. Witnesses.—Dr. Fouad Ajami, director of Middle East studies, School of Advanced International Studies, Johns Hopkins University; Dr. James Fearon, professor of political science, Stanford University; Ambassador Peter Galbraith, senior diplomatic fellow, Center for Arms Control and Nuclear Nonproliferation.

36. *“Combating Terrorism: Lessons Learned from London,” September 19, 2006*

a. Summary.—This hearing sought to compare American and British approaches to counterterrorism following the disruption of an alleged terrorist airline bomb plot in London in August 2006. Witnesses represented both American and British perspectives with direct experience in counterterrorism, legislation, and government agency work. The successful disruption of the August 2006 alleged London terrorist airline bomb plot highlights the effectiveness of the British counterterrorism apparatus and speaks for the value of international cooperation. In some circumstances, it would benefit the United States to consider more closely and potentially emulate certain elements of the British system.

b. Witnesses.—John Rollins, Specialist in Terrorism and International Crime, Foreign Affairs, Defense, and Trade Division, Congressional Research Service; Tom Parker, former British Counterterrorism Official, adjunct professor, Bard College, executive director, Iran Human Rights Documentation Center; Baroness Falkner of Margravine, member, House of Lords, United Kingdom, fellow, Institute of Politics, Harvard University, member in 2005, Prime Minister’s Taskforce on Muslim Extremism; James A. Lewis, senior fellow, Technology and Public Policy Program, Center for Strategic and International Studies; and David B. Rivkin, partner, Washington, DC, office of Baker and Hostetler, member, U.N. Sub-Commission on the Promotion and Protection of Human Rights, contributing editor, National Review, former official at the White House and the Departments of Justice and Energy during the Reagan and George H.W. Bush administrations.

37. *“Weapons of Mass Destruction [WMD]: Current Nuclear Non-proliferation Challenges,” September 26, 2006*

a. Summary.—The hearing examined the importance of the Nuclear Non-Proliferation Treaty [NPT] and the appropriate steps to strengthen the regime. The Nuclear Non-Proliferation Treaty [NPT] is intended to stop the spread of nuclear weapons and material related to the production of nuclear weapons. The subcommittee learned the International Atomic Agency [IAEA] has taken steps to strengthen safeguards, including conducting more intrusive inspections, to seek assurances that countries are not developing clandestine weapons programs. IAEA has begun to develop the capability to independently evaluate all aspects of a country’s nu-

clear activities. This is a radical departure from the past practice of only verifying the peaceful use of a country's declared nuclear material. However, despite successes in uncovering some countries' undeclared nuclear activities, safeguards experts cautioned that a determined country can still conceal a nuclear weapons program. In addition, there are a number of weaknesses that limit IAEA's ability to implement strengthened safeguards. First, IAEA has a limited ability to assess the nuclear activities of four key countries that are not NPT members—India, Israel, North Korea, and Pakistan. Second, more than half of the NPT signatories have not yet brought the Additional Protocol, which is designed to give IAEA new authority to search for clandestine nuclear activities, into force. Third, safeguards are significantly limited or not applied to about 60 percent of NPT signatories because they possess small quantities of nuclear material, and are exempt from inspections, or they have not concluded a comprehensive safeguards agreement. Finally, IAEA faces a looming human capital crisis caused by the large number of inspectors and safeguards management personnel expected to retire in the next 5 years.

b. Witnesses.—Dr. Hans Blix, chairman, the Weapons of Mass Destruction Commission; William H. Tobey, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; Andrew K. Semmel, Deputy Assistant Secretary for International Security and Nonproliferation, Department of State; Jack David, Deputy Assistant Secretary of Defense for Combating Weapons of Mass Destruction and Negotiations Policy, Department of Defense; Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office; Ambassador Thomas Graham, Jr., chairman, Bipartisan Security Group, Global Security Institute; Baker Spring, F.M. Kirby research fellow for National Security Policy, the Heritage Foundation; Jonathan Granoff, president, Global Security Institute; Henry D. Sokolski, Nonproliferation Policy Education Center; and professor Frank von Hippel, co-chairman, International Panel on Fissile Materials.

OTHER

1. Updating Nuclear Security Standards: How Long Can the Department of Energy Afford to Wait?—This investigative report was approved by the full committee. The National Security, Emerging Threats, and International Relations [NSETIR] Subcommittee conducted an oversight investigation of Department of Energy [DOE] efforts to improve nuclear facility security. The subcommittee examined the DOE National Nuclear Security Administration [NNSA] and the Office of Energy, Science and Environment [ESE] to determine the reasons behind persistent reports of facility security lapses. The Department of Energy is the Nation's custodian for the protection nuclear weapons, components and special nuclear material.

The oversight investigation conducted by the subcommittee attempted to identify systemic problems within the structure and management of DOE. The investigation sought to make sure risk management policies are threat-based, not artificially constrained by the question, "How much security can we afford?" in the effort

to formulate and implement a new, post-September 11th security standard or Design Basis Threat [DBT].

2. *Strengthening Disease Surveillance* *This investigative report was approved by the full committee.*—The National Security, Emerging Threats, and International Relations [NSETIR] Subcommittee conducted an oversight investigation into the status of disease surveillance systems. The subcommittee found Disease surveillance systems are fragmented and have been slow to adapt to new technologies which could improve the timeliness of outbreak reporting. The subcommittee recommended the Centers for Disease Control and Prevention should clearly define the technical parameters and set a specific timeframe for establishing a unified national disease surveillance system to replace the current patchwork of reporting and monitoring programs.

VIII. SUBCOMMITTEE ON REGULATORY AFFAIRS

1. *"The Impact of Regulation on U.S. Manufacturing," April 12, 2005*

a. *Summary.*—This hearing considered the structural costs imposed by Federal regulations on domestic manufacturers, especially with respect to the impact that it had on U.S. competitiveness. It considered the relative cost of regulatory compliance for U.S. manufacturers when compared with other major world manufacturers, and began checking up on agency adherence to predetermined timelines for action or response to suggested reform to the regulations within their respective agencies.

b. *Witnesses.*—Dr John D. Graham, Administrator, OIRA, OMB; Al Frink, Assistant Secretary for Manufacturing and Services, U.S. Department of Commerce; Governor John Engler, president, National Association of Manufacturers; Dr. Thomas Duesterberg, president and CEO, Manufacturers Alliance/MAPI; Lori Luchak, vice president, Miles Fiberglass and Composites representing the American Composites Manufacturers Association; and Sidney Shapiro, Center for Progressive Regulation.

2. *"Less is More: The Increasing Burden of Taxpayer Paperwork," May 25, 2005*

a. *Summary.*—This hearing considered the ongoing oversight of the Internal Revenue Service in its taxpayer paperwork burden reduction efforts, particularly in relation to the provisions required under the Paperwork Reduction Act of 1980 and its following amendments. The percentage goals of reduction of regulatory burden originally envisioned by the Paperwork Reduction Act of 1995 have not been met.

b. *Witnesses.*—Mark Everson, Commissioner, Internal Revenue Service and former Deputy Director for Management, Office of Information and Regulatory Affairs, Office of Management and Budget; Leonard Steinberg, the Steinberg Group and former member of the Taxpayer Advocacy Panel, on behalf of the Small Business and Entrepreneurship Council; Keith Hall, Hall and Hughes, PLLC, on behalf of the National Association for the Self-Employed; and Lary Gray, Alferman, Gray and Co., on behalf of the National Association of Tax Preparers.

3. *"Reducing the Paperwork Burden on the Public: Are Agencies Doing All They Can?" June 14, 2005*

a. Summary.—This hearing examined agency efforts to reduce the paperwork burden which is imposed on the public. Specifically, the two aspects of paperwork burden reduction which were focused on were Federal agency compliance with the Paperwork Reduction Act and Federal agency efforts to reduce burden above and beyond what is statutorily required.

b. Witnesses.—Patrick Pizzella, Assistant Secretary for Administration and Management, U.S. Department of Labor; Kimberly Nelson, Assistant Administrator and Chief Information Officer, Environmental Protection Agency; Daniel Matthews, Chief Information Officer, U.S. Department of Transportation; Linda Koontz, Director, Information Management Issues, U.S. Government Accountability Office; Sean Moulton, senior information policy analyst, OMB Watch; Kevin Barrett, certified industrial hygienist and certified safety professional, Barrett Occupational Safety and Health Management Services, on behalf of the Synthetic Organic Chemical Manufacturers Association.

4. *"The Impact of Regulation on U.S. Manufacturing: Spotlight on Department of Labor and Department of Transportation," June 28, 2005*

a. Summary.—This hearing continued in the same vein as the April 12th hearing, but narrowed its scope to focus on the progress made specifically by the Department of Labor and Department of Transportation.

b. Witnesses.—Veronica Stidvent, Assistant Secretary for Policy, U.S. Department of Labor; Jeffrey Rosen, General Counsel, U.S. Department of Transportation; Stuart Sessions, vice president, Environomics, Inc., on behalf of Surface Finishing Industry Council and Specialty Steel Industry of North America; Jeff Melby, vice president, Environment and Safety, Genmar Holdings, Inc., on behalf of the National Marine Manufacturers Association; and Joan Claybrook, president, Public Citizen.

5. *"Improving Information Quality in the Federal Government" July 20, 2005*

a. Summary.—This hearing reviewed agency implementation of the Information Quality Act passed in 2001, specifically the Environmental Protection Agency, the U.S. Fish and Wildlife Service of the Department of the Interior, and the Department of Health and Human Services. Ensuring that information is of the highest quality and uses the best available science is necessary to create fairness and transparency in government and was the focus of the hearing.

b. Witnesses.—Kimberly Nelson, Assistant Administrator and CIO, U.S. Environmental Protection Agency; Tom Melius, Assistant Director for External Affairs, U.S. Fish and Wildlife Service, Department of the Interior; James Scanlon, Acting Deputy Assistant Secretary for Science and Data Policy, Department of Health and Human Services; Mark Greenwood, partner, Ropes and Gray; Jeff Ruch, executive director, Public Employees for Environmental Responsibility; William Kovacs, vice president for Environment, Tech-

nology, and Regulation, U.S. Chamber of Commerce; and Sidney Shapiro, University Distinguished Chair in Law, Wake Forest University.

6. *“Regulatory Reform: Are Regulations Hindering Our Competitiveness?” July 27, 2005*

a. *Summary.*—This hearing was held to consider congressional regulatory reform initiatives and their effect on the promulgation of regulations, especially these regulations that impact America’s ability to remain globally competitive. A number of House Representatives were available to discuss bills they had introduced with regards to regulations and American competitiveness.

b. *Witnesses.*—Hon. J.D. Hayworth, Representative, 5th Congressional District of Arizona; Hon. Sue Kelly, Representative, 19th Congressional District of New York; Hon. Robert Ney, Representative, 18th Congressional District of Ohio; Curtis Copeland, Specialist in American National Government, Congressional Research Service; Christopher Mihm, Managing Director, Strategic Issues, Government Accountability Office; Marlo Lewis, senior fellow in environmental policy, Competitive Enterprise Institute; and Erik Olson, senior attorney, Natural Resources Defense Council.

7 *“Protecting Our Great Lakes: Ballast Water and the Impact of Invasive Species,” September 9, 2005 (Fair Haven, MI)*

a. *Summary.*—This hearing focused on the effect which invasive species such as the Round Goby and the Zebra Mussel have on environments to which they are not indigenous. In addition, the hearing focused on how best to combat the effects of invasive species and how to avoid their spread. The regulations established by the Nonindigenous Aquatic Nuisance Prevention and Control Act [NANPCA] need revision, as they have been largely ineffective in reducing the number of invasive species.

b. *Witnesses.*—Mike Cox, attorney general, State of Michigan; Robin Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; Commander Kathy Moore, Chief, Environmental Standards Division, U.S. Coast Guard; Dr. Stephen Brandt, Director, Great Lakes Environmental Research Laboratory, National Oceanic and Atmospheric Administration, U.S. Department of Commerce; Dennis Schornack, chairman, U.S. Section, International Joint Commission; Kathy Metcalf, director, maritime affairs, Chamber of Shipping of America; James Weakley, president, Letter Carriers’ Association; Jason Dinsmore, policy specialist, Michigan United Conservation Clubs; and Kurt Brauer, chair, Natural Resources Committee, Michigan Council of Trout Unlimited.

8. *“OxyContin and Beyond: Examining the Role of FDA and DEA in Regulating Prescription Painkillers,” September 13, 2005 (Boston, MA)*

a. *Summary.*—This hearing analyzed the problems of the prescription painkiller OxyContin, and what the Food and Drug Administration and the Drug Enforcement Agency are doing to monitor the drug. The biggest concerns are that there is no regulatory authority over “off-label” prescriptions, and that because generic

forms of OxyContin are to be introduced to the market, the government will have to take certain regulatory measures to prevent the abuse and diversion of these drugs.

b. Witnesses.—Dr. Robert Meyer, Director, Office of Drug Evaluation II, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Joseph Rannazzisi, Deputy Chief of Enforcement Operations, Drug Enforcement Agency; Massachusetts State Senator Steven Tolman, 2nd Legislative District, Suffolk County; Massachusetts State Representative Brian Wallace, 4th Legislative District, Suffolk County; John McGahan, executive director, Cushing House; Dr. Janet Abraham, co-director of the Pain and Palliative Care Programs at Dana Farber Cancer Institute and Brigham and Women's Hospital and Anesthesia at Harvard Medical School, on behalf of the American Cancer Society.

9. *"The Impact of Regulation on U.S. Manufacturing: Spotlight on the Environmental Protection Agency," September 28, 2005*

a. Summary.—A continuation of the Impact of Regulation on U.S. Manufacturing hearings, this one dealt specifically with the Environmental Protection Agency. In December 2004, OMB released a list of 189 reform nominations for regulations in the manufacturing sector. Of these, 76 were considered by OMB to be priorities for consideration by the various agencies; 42 of those 76 nominations were ascribed to the Environmental Protection Agency, and this hearing checked the progress of these nominations.

b. Witnesses.—Brian Mannix, Associate Administrator for Policy, Economics, and Innovation, Environmental Protection Agency; Tom Sullivan, Chief Counsel, the Office of Advocacy, U.S. Small Business Administration; John Wagner, corporate director of environmental affairs, Mueller Industries Inc.; Chris Bagley, EH&S manager, DanChem Technologies, on behalf of the Synthetic Organic Chemical Manufacturers Association; B.J. Mason, president, Mid-Atlantic Finishing Inc., on behalf of the Surface Finishing Industry Council; and Scott Slesinger, vice president for government affairs, Environmental Technology Council.

10. *"Plain Language Regulations: Helping the American Public Understand the Rules," March 1, 2006*

a. Summary.—A hearing to consider the "plain language" in government initiative, especially how it relates to the drafting and publishing of regulations. Every year, Federal regulatory agencies write and enforce thousands of rules, however, the average American citizen or small business owner affected by these rules may not fully understand their impact and their compliance requirements. Congress finds that the American citizens and businesses still struggle to understand the many rules that they need to follow. This hearing also discussed Chairman Miller's H.R. 4809, the "Regulation in Plain Act of 2006," and the incorporation of her concepts into actual regulation.

b. Witnesses.—Joseph Kimble, law professor, Thomas Cooley School of Law; Dr. Annetta Cheek, vice-chair, Center for Plain Language; and Todd McCracken, president, National Small Business Association.

11. *"The Paperwork Reduction Act at 25: Opportunities to Strengthen and Improve the Law," March 8, 2006*

a. Summary.—A hearing examining the effectiveness of the Paperwork Reduction Act after 25 years of implementation. With an original budget of \$11 billion devoted to enforcing regulations, today \$44 billion is allocated for that purpose. As well as discussing the original bill the hearing addressed the amendment made to the bill in 1995 and its effectiveness in improvement.

b. Witnesses.—James Miller, chairman emeritus, CapAnalysis Group, LLC; Sally Katzen, visiting professor, George Mason University Law School; Linda D. Koontz, Director, Information Management Issues, U.S. Government Accountability Office; William L. Kovacs, vice president, Environment Technology and Regulatory Affairs, U.S. Chamber of Commerce; Andrew Langer, manager, regulatory policy, National Federation of Independent Business; and Robert Shull, director of regulatory policy, OMB Watch.

12. *"Taking on Water: The National Park Service's Stalled Rulemaking Effort on Personal Watercraft," March 15, 2006*

a. Summary.—An oversight hearing on the National Park Service's rulemaking effort governing the use of personal watercraft in the national park system. The subcommittee examined the rulemaking process at NPS governing PWC use, particularly the status of individual rulemaking and reasons for the delays in the NPS rulemaking process. They also voiced their concerns for the delays that have prohibited the use of PWCs.

b. Witnesses.—Karen Taylor-Goodrich, Associate Director for Visitor and Resource Protection, National Park Service, Department of the Interior; Fernando Garcia, director of public and regulatory affairs, Bombardier Recreational Products; Laura Baughman, president, the Trade Partnership; John Hamer, owner, Motorsports of Miami; and Carl Schneebeck, public lands campaign director, Bluewater Network.

13. *"The Sarbanes-Oxley Act 4 Years Later: What Have We Learned?" April 5, 2006*

a. Summary.—A hearing which examined the Security and Exchange Commission's [SEC] implementation of Section 404 of the Sarbanes-Oxley Act [SOX], which evidence suggests has adversely affected the small business community and the competitiveness of American companies overall. The subcommittee discussed the intended purpose of the act, the skyrocketing compliance cost, the unintended consequences, the benefits and the recent remedial action.

b. Witnesses.—Hon. Mark Kirk, U.S. House of Representatives, 10th Congressional District of Illinois; Hon. Tom Feeney, U.S. House of Representatives, 24th Congressional District of Florida; Hon. Gregory Meeks, U.S. House of Representatives, 6th Congressional District of New York; Grace Hinchman, senior vice president, Financial Executives International; Richard Hubbell, president and CEO of RPC and Marine Products Corp; Alex J. Pollock, resident fellow, AEI; Robert Dowski, CFO, the Allied Defense Group, Inc.; and Damon Silvers, associate general counsel, AFL-CIO.

14. *"FEMA's Floodplain Map Modernization: A State and Local Perspective," May 8, 2006 (Algonac, MI)*

a. Summary.—A field hearing conducted in Algonac, MI, which examined the State and local impact of FEMA's efforts to update flood maps in St. Clair County, MI and, particularly, in Clay Township. FEMA justified its proposal to raise the base flood elevation on a U.S. Army Corps of Engineers study on water levels in the Great Lakes; however, that data is not reliable due to 1986 being the final year of the study, which was the year that water levels in the Great Lakes were at historic highs. Subcommittee members asserted FEMA is in financial trouble, and needs to increase revenues to pay for the payments associated with the hurricanes of 2005. Subcommittee members directed question to as to why this increase is necessary and the benefits for Clay Township.

b. Witnesses.—Janet Odeshoo, Deputy Regional Director, Federal Emergency Management Administration, Region V, Department of Homeland Security; Lieutenant Colonel [LTC] Donald P. Lauzon, Commander and District Engineer, Detroit District, U.S. Army Corps of Engineers; Hon. Judson Gilbert II, Senator, 25th District, Michigan; Jon E. Manos, supervisor, Clay Township, MI; Chris Wilson, city manager, Algonac, MI; Manfred "Whitey" Simon, president, Harsens Island St. Clair Flats Association; and John Collision, Sterling Real Estate Co., Macomb, MI (representing the Michigan Association of Realtors).

15. *"A Balancing Act: Cost, Compliance, and Competitiveness After Sarbanes-Oxley," June 19, 2006 (New York, NY)*

a. Summary.—A field hearing conducted in New York City to examine the impact of the SEC's implementation of the Sarbanes-Oxley Act [SOX] on U.S. stocks markets in terms of liquidity, competitiveness, and the overall health of the U.S. markets. This hearing examined the benefits of Section 404 of the act and as well as the value added by Section 404 compliance for investors, and businesses. The hearing focused on individuals' and professional consultants' use of the information disclosed under Section 404 of the act when making investment decisions. The hearing also compared the protections provided by Section 404 to the protections provided by Section 302 of the act. Finally, the subcommittee explored the changes in corporate behavior pre and post SEC implementation of SOX. This inquiry included exploring the differences in corporate behavior in matters relating to strategic planning, resource allocation, and implementation of IT systems.

b. Witnesses.—Neal Wolkoff, CEO, the American Stock Exchange; Mallory Factor, chairman, Free Enterprise Fund; Robert Robotti, president, Robotti and Co., former member of the SEC Advisory Committee on Smaller Public Companies; William W. Beach, director for data analysis, the Heritage Foundation; David Lawrence, chief financial officer, Acorda Therapeutics Inc.; R. Cromwell Coulson, CEO, the Pink Sheets; and John P. O'Shea, president and CEO, Westminster Securities Corp.

16. *"Another Year, Another Billion Hours: Evaluating Paperwork Reduction Efforts in the Federal Government," July 18, 2006*

a. Summary.—A hearing to examine the effectiveness of the Federal Government's implementation of the Paperwork Reduction Act for Fiscal Year 2005. In 1980, the Paperwork Reduction Act [PRA] replaced the FRA and established the Office of Information and Regulatory Affairs [OIRA] in OMB, whose principal responsibility is paperwork reduction. GAO conducted a study and filed a report on implementation of the act identifying significant weaknesses in the process, which were examined in the hearing.

b. Witnesses.—Steve Aitken, acting administrator, Office of Information and Regulatory Affairs, OMB; Beth Tucker, Director of Outreach, Communication, and Disclosure, Small Business/Self-Employed Division, Internal Revenue Service; Linda D. Koontz, Director of Information Management, GAO; Matthew Berry, Deputy General Counsel, Federal Communications Commission; Andrew Langer, manager, regulatory policy, NFIB; Robert Hayes, president, Medicare Rights Center, Information Collection Budget of the Federal Government (fiscal year 1995–fiscal year 2005).

17. *"Is the Federal Government Doing All it Can to Stem the Flow of Illegal Immigration?" July 25, 2006*

a. Summary.—A hearing to examine the current regulatory structure in place at different Federal agencies that play a role in documenting, detecting, and penalizing the employment of illegal aliens. The subcommittee heard from five Federal agencies to examine how they intend to use the information available to them via wage reports and I-9 inspections to enforce immigration law. The hearing demonstrated the lack of cooperation between Federal agencies dealing with illegal immigration and worker verification. Also, the hearing examined the worker verification provisions of both the House and Senate bills and their effectiveness in combating the hiring of illegal emigrants.

b. Witnesses.—Al Robinson, Acting Administrator of the Wage and Hour Administration of the Employment Standards Administration at the Department of Labor; Janis Sposato, Associate Director of the National Security and Records Verification Directorate, U.S. Citizenship and Immigration Service; Matthew Allen, Deputy Assistant Director, U.S. Immigration and Customs Enforcement; Martin H. Gerry, Deputy Commissioner of Social Security for Disability and Income Support Programs, the Social Security Administration; and K. Steven Burgess, Director, Examinations Small Business/Self Employed Division, Internal Revenue Service.

18. *"H.R. 5242: the Small Business Paperwork Amnesty Act," September 26, 2006*

a. Summary.—A hearing examining the bill H.R. 5242, which gives small businesses the ability to correct a first-time paperwork violation within 6 months as long as the violation does not harm the public interest, affect internal revenue laws, or threaten public health or safety. Subcommittee members directed questions regarding the effects posed by this bill on small businesses as well as the economy.

b. Witnesses.—Hon. Randy Neugebauer, U.S. House of Representatives, 19th Congressional District of Texas; Hon. David Vitter, U.S. Senate, Louisiana; Karen Harned, executive director, NFIB Legal Foundation, National Federation of Independent Businesses; James M. Wordsworth, president, J.R.'s Stockyards Inn, representing the U.S. Chamber of Commerce; and J. Robert Shull, deputy director, auto safety and regulatory policy, Public Citizen.

APPENDIX

I. COMMITTEE PRINTS

March 2005

Rules of the Committee on Government Reform, House of Representatives, Together with Selected Rules of the House of Representatives (Including Clause 2 of House Rule XI) and Selected Statutes of Interest.

December 2006

A Ceremony of the Unveiling of the Portrait of John Conyers, Jr.???

II. INVESTIGATIVE REPORTS

FIRST REPORT, July 18, 2005 The National Drug Control Strategy for 2005 and the National Drug Control Budget for Fiscal Year 2006.

SECOND REPORT, September 20, 2005 A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records.

THIRD REPORT, November 18, 2005 Investigation into Rafael Palmeiro's March 17, 2005 Testimony at the Committee on Government Reform's Hearing: "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use."

FOURTH REPORT, December 16, 2005 The Methamphetamine Epidemic: International Roots of the Problem, and Recommended Solutions.

FIFTH REPORT, January 31, 2006 Bringing Communities into the 21st Century: A Report on Improving the Community Block Grant Program," January 31, 2006.

SIXTH REPORT, April 25, 2006 2006 Congressional Drug Control Budget and Policy Assessment: A Review of the 2007 National Drug Control Budget and 2006 National Drug Control Strategy.

SEVENTH REPORT, April 25, 2006 Updating Nuclear Security Standards: How Long Can the Department of Energy Afford to Wait?

EIGHTH REPORT, Strengthening Disease Surveillance, April 25, 2006.

NINTH REPORT, September 6, 2006 What Will it Take to Turn Lost Opportunities into America's Gain?

III. LEGISLATIVE REPORTS

March 17, 2005, House Report 109-26

Program Assessment and Results Act, to accompany H.R. 185, 109th Congress, 1st Session.

April 28, 2005, House Report 109–66, Part I

Postal Accountability and Enhancement Act, to accompany H.R. 22, 109th Congress, 1st Session.

May 23, 2005, House Report 109–91

General Services Administration Modernization Act, to accompany H.R. 2066, 109th Congress, 1st Session.

July 12, 2005, House Report 109–164

To extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program, to accompany H.R. 2385, 109th Congress, 1st Session.

November 3, 2005, House Report 109–268

Supply Our Soldiers Act of 2005, to accompany H.R. 923, 109th Congress, 1st Session.

November 3, 2005, House Report 109–267

2005 District of Columbia Omnibus Authorization Act, to accompany H.R. 3508, 109th Congress, 1st Session.

November 18, 2005, House Report 109–313

Clarification of Federal Employment Protections Act, to accompany H.R. 3128, 109th Congress, 1st Session.

November 18, 2005, House Report 109–315

Office of National Drug Control Policy Reauthorization Act of 2005, to accompany H.R. 2829, 109th Congress, 1st Session.

November 18, 2005, House Report 109–316

Federal and District of Columbia Government Real Property Act of 2006, to accompany H.R. 3699, 109th Congress, 1st Congress.

March 14, 2006, House Report 109–390

To provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code, to accompany H.R. 4057, 109th Congress, 2nd Session.

April 25, 2006, House Report 109–439

527 Reform Act of 2006, to accompany, to accompany H.R. 4975, 109th Congress, 2nd Session.

April 26, 2006, House Report 109–440

National Capital Transportation Amendments Act of 2006, to accompany H.R. 3496, 109th Congress, 2nd Session.

April 27, 2006, House Report 109–445

Executive Branch Reform Act of 2006, to accompany H.R. 5112, 109th Congress, 2nd Session.

May 2, 2006, House Report 109-449

A bill to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies, S. 1736, 109th Congress, 2nd Session.

May 9, 2006, House Report 109-457

Requesting the President to transmit to the House of Representatives not later than 14 days after the date of adoption of this resolution documents in the possession of the President relating to the receipt and consideration by the Executive Office of the President of any information concerning the variation between the version of S. 1932, the Deficit Reduction Act of 2005, that the House of Representatives passed on February 1, 2006, and the version of the bill that the President signed on February 8, 2006, to accompany H. Res. 752, 109th Congress, 1st Session.

June 22, 2006, House Report 109-519

RESPOND Act of 2006, to accompany H.R. 5316, 109th Congress, 2nd Session.

June 29, 2006, House Report 109-544

Federal Employee Protection of Disclosures Act, to accompany H.R. 1317, 109th Congress, 2nd Session.

July 11, 2006, House Report 109-553

To amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public and private school tuition assistance programs established under the Act, to accompany H.R. 4855, 109th Congress, 2nd Session.

July 24, 2006, House Report 109-593

District of Columbia Fair and Equal House Voting Rights Act of 2006, to accompany H.R. 5388, 109th Congress, 2nd Session.

July 24, 2006, House Report 109-594

Government Efficiency Act of 2006, to accompany H.R. 5766, 109th Congress, 2nd Session.

September 13, 2006, House Report 109-652

To amend the Truth in Regulating Act to make permanent the pilot project for the report on rules, to accompany H.R. 1167, 109th Congress, 2nd Session.

September 14, 2006, House Report 109-660

Regulation in Plain Language Act of 2006, to accompany H.R. 4809, 109th Congress, 2nd Session.

March 31, 2005, House Report 109-29

IV. COMMITTEE MEETINGS

February 17, 2005—Full Committee Approved Budget Views and Estimates by voice vote and H. Res. 41 by unanimous consent.

February 9, 2005—Full Committee Organizational Meeting Approved Committee Rules, Oversight Plans, H.R. 324 and H. Con.

Res. 25 both by unanimous consent. Also the minority consultant contract by unanimous consent.

March 10, 2005—Full Committee Approved S. 384 by voice vote and H.R. 185 by roll call vote.

March 26, 2005—Full Committee Approved Recommendations to the House regarding Oversight Plans for all House Committees by voice vote and H. Res. 142 and H. Res. 148 both by unanimous consent.

April 13, 2005—Full Committee Approved H.R. 22 as amended by roll call vote and H.R. 1533, as amended by voice vote. Also, H.R. 504, H.R. 1072, H.R. 1082, H.R. 1236, H.R. 1524, H. Res. 184, H. Res. 197, H. Con. Res. 41 and H.R. 1001 all by unanimous consent.

May 5, 2005—Full Committee Approved H.R. 2066 as amended by voice vote. Also H.R. 627, H.R. 1760, H. Res. 231 and H. Res. 185 all by unanimous consent.

May 17, 2005—Federal Workforce and Agency Organization Approved H.R. 994, H.R. 1283 and H.R. 1765 all by unanimous consent.

May 26, 2005—Full Committee approved H.R. 2326 by unanimous consent and H.R. 2565 by voice vote.

June 14, 2005—Federalism and the Census Approved H.R. 2385 as amended by voice vote.

June 16, 2005—Full Committee Approved H.R. 2113, H.R. 2183, H.R. 2346, H.R. 2490, H.R. 2630, H. Con. Res. 71 and H. Con. Res. 160 all by unanimous consent. Also, H.R. 994, H.R. 1283 as amended, H.R. 1765, H.R. 2385 as amended and H.R. 2829 as amended all by voice vote. 1st Investigative Report—The National Drug Control Strategy for 2005 and the National Drug Control Budget for Fiscal Year 2006 approved by voice vote.

June 22, 2005—Government Management, Finance and Accountability Approved “A Citizens Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records,” by voice vote.

September 15, 2005—Full Committee Approved H.R. 3508 as amended and H.R. 3128 both by voice vote. A Citizen’s Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records approved by voice vote. Also, H. Con. Res. 59, H. Con. Res. 209, H.J. Res. 61, H. Res. 209, H.J. Res. 61, H. Res. 429, H.R. 2062, H.R. 2413, H.R. 3439, H.R. 3440, H.R. 3667, H.R. 3703, H.R. 3767, S. 1275 and S. 1323 all by unanimous consent.

September 29, 2005—Full Committee Approved H.R. 3549, H.R. 3830, H.R. 3853, H. Res. 15, H. Res. 276 and H. Res. 389 all by unanimous consent. H.R. 1317 as amended by roll call vote.

October 20, 2005—Full Committee approved H.R. 3256, H.R. 3368, H.R. 3548, H.R. 3770, H.R. 3825, H.R. 3989, H.R. 4053 and S. 37 all by unanimous consent. H.R. 1455 and H.R. 4057 both passed by voice vote and H.R. 3496 passed as amended by voice vote.

October 26, 2005—Full Committee Approved H.R. 3134 as amended by voice vote.

November 16, 2005—Full Committee Approved the report on the Investigation into Rafael Palmeiro’s March 17, 2005 Testimony at

the Committee on Government Reform's Hearing: "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use." Also, approved H.R. 3934, H.R. 4101, H.R. 4107, H.R. 4108, H.R. 4109 as amended, H.R. 4152, H.R. 4295, H. Con. Res. 218, H. Con. Res. 289 and H. Res. 487 all by unanimous consent.

December 15, 2005—Full Committee Approved minority consulting contract and two investigative reports entitled, "Bringing Communities into the 21st Century: A Report on Improving the Community Development Block Grant Program." And "The Methamphetamine Epidemic: International Roots of the Problem, and Recommended Solutions," all by voice vote.

February 1, 2006—Full Committee Approved H.R. 4054, H.R. 4346, H.R. 4456 as amended, H.R. 4509, H. Res. 629, and S. 1989 all by unanimous consent.

March 9, 2006—Full Committee Approved H.R. 4674, H.R. 4688, H.R. 4786, H.R. 4805, H. Res. 85, H. Res. 517, as amended and H. Res. 556 all by unanimous consent. S. 1736 and H.R. 4855 passed both by voice vote and the report, "2006 Congressional Drug Control Budget and Policy Assessment: A Review of the 2007 National Drug Control Budget and 2006 National Drug Control Strategy," passed by voice vote.

March 30, 2006—Full Committee Approved H.R. 4368, H.R. 4561, H.R. 4586, H.R. 4646, H.R. 4811, H.R. 4995, H. Res. 518 and H. Res. 737 all by unanimous consent.

April 6, 2006—Full Committee Approved "Strengthening Disease Surveillance" and "Updating Nuclear Security Standards: How Long Can the Department of Energy Afford to Wait?" Both by voice vote. Also, H.R. 4975 as amended by voice vote and H.R. 5112 approved by roll call vote.

May 4, 2006—Full Committee Approved H.R. 4768, H.R. 5086, H.R. 5104, H.R. 5245, H. Res. 327, H. Res. 626, H. Res. 627, H. Res. 729, H. Res. 753, H. Res. 763, H. Res. 773, H. Res. 788, H. Con. Res. 399 all by unanimous consent. Also, the committee unfavorably approved H. Res. 752 by roll call.

May 18, 2006—Full Committee Approved H.R. 5316, as amended by voice vote. H.R. 5388 was approved by roll call vote and H.R. 5410 failed by voice vote.

June 8, 2006—Full Committee Approved H.R. 5169, H.R. 5194, H.R. 5224, H.R. 5426, H.R. 5248, H.R. 5434, H.R. 5504, H.R. 5540, H. Res. 498, S. 1445 and H. Res. 826 all by unanimous consent. Also, H.R. 4809, H.R. 4416, S. 959 as amended, H.R. 1167 as amended, H.R. 5216, and H.R. 5525 all approved by voice vote.

June 29, 2006—Full Committee Approved H.R. 3329, H.R. 5697, H.R. 5711, H.R. 4962, H.R. 5626, H. Res. 189 and H. Res. 721 all by unanimous consent.

July 18, 2006—Federal Workforce Agency Organization Approved H.R. 5710 by voice vote.

July 20, 2006—Full Committee Approved H.R. 4087, H.R. 4846, H.R. 5664, H. Res. 605, H. Res. 901, H. Res. 912 all by unanimous consent. Report, "Brownsfield: What Will It Take to Turn Lost Opportunities into America's First Gain?" Approved by voice vote. Also, H.R. 5766 as amended and H.R. 3282 both approved by roll call vote.

September 13, 2006—Federal Workforce and Agency Organization Approved H.R. 4859 by voice vote.

September 21, 2006—Full Committee Approved H.R. 960, H.R. 1472, H.R. 4969, H.R. 5108, H.R. 5857, H.R. 5923, H.R. 5989, H.R. 5990, H.R. 6075, H.R. 6078, H.R. 6102, H. Res. 402, H. Res. 745, H. Res. 748, H. Res. 973, H. Res. 974, H. Res. 991, H. Con. Res. 471 and H. Con. Res. 473 all by voice vote.

September 27, 2006—Government Management, Finance, and Accountability Approved H.R. 867 by voice vote.

Committee on Government Reform
Oversight Plan
109th Congress
Honorable Tom Davis
Chairman

Rule X, Clause 2(d) of the Rules of the House requires each committee of the House to adopt and submit a two-year oversight plan to the Committees on Government Reform and House Administration by February 15 of the first session of Congress.

The following is the oversight plan for the Committee on Government Reform for the 109th Congress. It details areas in which the committee and subcommittees expect to conduct oversight during the 109th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

Activities for the 109th Congress
Full Committee

National Guard and Reserve Oversight

The Committee will continue to monitor Title 10 and Title 32 readiness issues of the National Guard, including manpower, equipment, and training. The Committee's oversight will focus on new Army Modularity Initiative and Air Force Future Total Force Transformation and their effects on National Guard missions abroad and at home. The Committee will continue examination of the Department of Defense (DOD) and military service administrative processes and regulations involving the care of injured Guard and Reserve, including monitoring the execution of the Army's Community Based Health Care Initiative. Future work will include investigating the long term effects of military service on Guard and Reservist life. The Committee will continue to monitor the administration and integration of military pay systems at DOD including Forward Compatible Pay and Defense Integrated Military Human Resources System. General oversight will continue on the resourcing and readiness of all Reserve Components.

Homeland Defense and Military Assistance to Civilian Authorities for Homeland Security

The Committee will continue to monitor the role of the National Guard in homeland defense, homeland security, and military assistance to civilian authorities. Additionally, the Committee will monitor the execution of Title 32, Chapter 9 and examine other emerging statutory and regulatory changes needed to promote protection of the homeland, as well as the interaction between federal and state entities on the use of the National Guard. The Committee will examine the interaction between the Department of Defense and the Department of Homeland Security in defining their common roles and responsibilities in homeland security and homeland defense. The

Committee will examine joint training and exercises between National Guard, Active Duty, State, and civilian entities in preparation for a terrorist event.

United States Postal Service

In April 2001, the Government Accountability Office placed the Postal Service's transformation efforts and its long-term prospects on its list of high-risk areas. The Postal Service remains on that list. In addition to pursuing critically-needed legislative reform, the Committee will continue to monitor the Postal Service's internal efforts to reform its management and control costs. Specifically, the Committee will monitor the Postal Service's implementation of its own Transformation Plan, issued in April, 2002. In addition, while many of the recommendations of the July, 2003 report of the President's Commission on the United States Postal Service were recommendations for legislative action, many were recommendations directed to the Postal Service itself. The Committee will monitor the Postal Service's implementation of these recommendations as well.

Management Reform

The Office of Management and Budget announced its intention to propose government-wide personnel and management reform this year. As part of this discussion, the Committee will continue to monitor and assess the implementation of the new human resources management systems at the Department of Defense and the Department of Homeland Security, as well as the various ongoing human resources demonstration projects. In addition, the Committee will oversee the use of management flexibilities provided last year as part of the Federal Workforce Flexibility Act of 2003.

Diploma Mills

In 2003, the Department of Homeland Security launched an investigation into allegations that one of their senior official's had used a bogus degree from a diploma mill in connection with her federal employment. In response to this event, the Committee began an investigation into the use of diploma mills in the federal civil service. The Committee's goal was to help develop a coherent, government-wide policy that will enable federal employers to more easily identify and discourage the use of these degrees. The Committee's investigation has shown that this issue is not only a problem for federal employers but for the private economy as well. During the 109th Congress, the Committee will seek to publicize the new resources being developed to help government and private employers detect the use of diploma mills.

Electronic Voting

In October 2002, Congress passed and the President signed into law the Help America Vote Act (HAVA). The goal of this legislation was to ensure that all Americans were able to accurately cast a vote for the candidate of their choice. In response to HAVA, many local governments are now purchasing new electronic voting machines.

While the existing data indicate that these machines can be more accurate than outdated punch card voting machines, experts are becoming increasingly concerned that their software has security gaps that could potentially allow unscrupulous individuals to alter the vote count, unlawfully affecting election results while leaving no paper trail or other auditable evidence. In addition, a number of incidents in recent Presidential primaries and local elections raised concerns about the performance of the machines, and the fact that their reliability could be impaired by implementation problems during elections. The Committee has initiated a GAO study to review the security and reliability of electronic voting systems and to identify best practices that can be implemented to improve the security and reliability of the electronic voting process.

Regulatory Affairs

Limiting the intrusion of government reporting requirements into the daily activity of the business community is the primary way government can create a national environment that encourages growth and development. Government interfaces with business as a customer and as a regulator. As a regulator, government ensures that business is conducted honestly and safely, and it incentivizes certain behavior judged to be in the public good. These are laudable goals -- but they have a cost. With an eye towards understanding these costs and seeking to limit them as much as possible, the Committee intends to study the effectiveness of the Paperwork Reduction Act and plans to reauthorize the legislation during the 109th Congress.

Bureau of Economic Analysis

The Committee oversees the activities of the Bureau of Economic Analysis (BEA). The BEA produces economic statistics that enable government and business decision-makers, researchers, and the American public to follow and understand the performance of the nation's economy. Most notably, the BEA produces the GDP and many of the Balance of Trade statistics. The Committee works with stakeholders and fights for adequate funding for this small, but critical, agency. The Committee also meets regularly with stakeholder groups, members of Congress, and state and local government groups to seek to understand concerns about BEA activities and resolve issues when possible.

Unfunded Mandates Reform Act

The Committee is studying the impact of unfunded federal mandates. Also the Committee is examining the Unfunded Mandates Reform Act (UMRA) and seeking to identify possible areas of improvement in the Act. Beyond that the Committee is attempting to develop a more complete picture of the effect of unfunded mandates -- those covered by UMRA as well as those not covered -- on state and local governments.

New Dietary Guidelines

On January 12, 2005, the Departments of Agriculture and Health and Human Services released the sixth edition of the *Dietary Guidelines for Americans*. The guidelines were released pursuant to federal law which requires a revision every five years. The Guidelines are important in shaping federal food programs and policies. The Committee will review these revisions to ensure the changes help to promote healthy living among all Americans.

Thrift Savings Plan

The Thrift Savings Plan is a 401(k)-style retirement savings plan for federal government employees or members of the uniformed services. In 2005, the Federal Retirement Thrift Investment Board plans to introduce "Lifecycle funds," which are combinations of the five existing TSP funds gradually adjusted by fund managers according to a participant's target retirement. The Committee will examine the usefulness of these new funds and continue to monitor the Board's participant services.

Homeland Security

Continuity of Operations for the Federal Government (COOP)

The Committee will continue to oversee the federal government's implementation of COOP. Last year the GAO concluded that most of the departments and agencies have not uniformly and systematically developed COOP plans and FEMA has not effectively administered its coordinating responsibility with the agencies. Because of the heightened threats of terrorism against federal government agencies, this issue will continue to be a priority of the Committee. By February 2005, the GAO is to complete a follow up study on the progress, if any, by government departments and agencies. The Committee may use this GAO report as a basis to hold another hearing on this subject.

SAFETY Act Implementation

The Homeland Security Act of 2002 included a provision, Support Antiterrorism by Fostering Effective Technologies Act (SAFETY Act), which provides incentives to private industry to deploy antiterrorism technologies by creating systems of risk management and litigation management. Timely implementation of this provision is crucial to the war on terrorism. The Committee will continue in its effort to make sure that the Department of Homeland Security works with stakeholders to manage the SAFETY Act in such a way that optimizes the legislation to the maximum extent practicable.

United States Visitor and Immigrant Status Indicator Technology (US-VISIT)

The federal government has initiated a program which will attempt to record and retain information on foreign visitors as they enter and exit our borders. This program, United States Visitor and Immigrant Status Indicator Technology (US-VISIT) was established in accordance with several Congressional mandates requiring that the

Department of Homeland Security (DHS) create an integrated, automated entry-exit system that: (1) records the arrival and departure of aliens; (2) deploys equipment at all ports of entry to allow for the verification of aliens' identities and the authentication of their travel documents through the comparison of biometric identifiers; and (3) utilizes an entry-exit system that records alien arrival and departure information from these biometrically authenticated documents. The US-VISIT program is an endeavor that will take years to mature, and DHS is using a phased approach in the implementation of the program. The Committee has worked closely with the stakeholder community to make sure this phased approach is workable for all involved. In this Congress, the Committee will attempt to oversee the land border application of US-VISIT and the exit system as it is applied to airports and seaports. The Committee intends to work with DHS and other stakeholders to make sure this carefully crafted program is implemented as quickly and efficiently as possible.

Transportation Security Administration

In the 108th Congress, the Committee conducted extensive oversight of the Transportation Security Administration (TSA). The Committee focused its oversight on airline passenger and baggage screeners, CAPPS II, and mass transit security. Chairman Davis was also the lead requester for a GAO report on air cargo security. This thorough oversight over TSA operations will continue into the 109th Congress. The Committee will also monitor TSA's new passenger pre-screening system for commercial aviation, known as Secure Flight. The Committee plans to assess whether the recommendations made by Congress, the Office of Inspector General, and GAO, to improve airline passenger and baggage screening, are properly implemented and effective.

Homeland Security Coordination

The Committee will continue to inspect and assess the coordination between the various federal, state, and local entities charged with protecting our homeland. Coordination among these groups is necessary to ensure adequate planning, information sharing, training, and execution of domestic preparedness activities. During the 108th Congress, the Committee held three hearings examining the state of emergency preparedness and coordination, specifically in the National Capital Region (NCR). The Committee will continue this work to assess what progress has been made and what additional steps need to be taken to better position the region to address potential threats.

Legal Immigration Management Reform

The Homeland Security Act of 2002 divided the responsibilities formerly held by the old Immigration and Naturalization Service's functions of immigration enforcement and legal immigration benefits into two agencies. The U.S. Citizenship and Immigration Services (USCIS) became responsible for the legal immigration benefits side of the equation in March of 2003. Since then, numerous issues and concerns have come to the Committee's attention regarding this agency. Of particular interest, USCIS faces a significant backlog of pending cases that has a profound effect both on the immigrant

community and on the U.S. economy. USCIS has developed a Backlog Elimination Plan that calls for the elimination of all backlog by 2006. However, there are serious questions as to whether this is an attainable goal and whether the agency can keep the backlog down permanently once the initial goal is reached. The USCIS Ombudsman has made some intriguing recommendations for reform of broken processes at the agency that may help resolve the underlying issues causing inefficiency. However, there is some question as to whether these recommendations are being effectively tested and implemented agency-wide, and the Committee is interested in this as well as the merits of the recommendations themselves.

Security Clearance Reform

The Committee-authored Title III of the Intelligence Reform and Terrorism Prevention Act of 2004 seeks to address the decades-old problems that afflict the security clearance regime of the United States. These problems include a considerable backlog of investigations, creating a shortage of cleared personnel available to government and industry, and a lack of reciprocal recognition of clearances by different government agencies. This language places certain responsibilities and goals on the Executive Branch, including naming an entity to serve as overseer of all clearance policy and implementing new standards and technology to ensure a secure and efficient investigative and adjudicative process. As the Executive Branch moves forward in implementing the requirements of the legislation, the Committee will work closely with the parties involved, in particular the new coordinator of clearance policy, to ensure that the spirit of the legislation is honored and that any problems with it are fixed.

Oversight of Federal Agency Contracting

Contracting Issues Associated With U.S. Global Military Commitments

The Committee will continue to oversee the contracting issues associated with our U.S. military as it pertains to their global missions in areas such as Bosnia, Iraq, Afghanistan, and other parts of the world. In 2003 and 2004, our military found itself deployed throughout the world in support of various geopolitical objectives. These deployments required the U.S. Government to quickly set up contingency operations for the basic living conditions of both military and civilians working in the theater of operations. These forces were faced with difficult living conditions because of their remote locations and the threat of armed military actions. Contracting for goods and services to support these needs was and continues to be a difficult undertaking. The Committee held a series of hearings related to issues concerning these difficulties and will continue to oversee the process, as the U.S. stays committed to the various mission areas throughout the world. The Committee will continue to monitor the progress of the Iraq reconstruction efforts.

Network

The Committee has held two oversight hearings in the past year on the General Services Administration's (GSA) government-wide voice and data telecommunications

program, Networx. The focus of these hearings has been to determine whether GSA's acquisition strategy will be effective in today's telecommunications environment. The Committee intends to continue its oversight of the \$20 billion Networx program through hearings in the next Congress. The Committee will keep a close eye on this program as it moves closer to the award phase.

General Services Administration Structure

The Committee will continue its oversight of the General Services Administration (GSA) and explore whether legislation is needed to restructure the agency. The Committee has held hearings on the overlapping and redundant nature of GSA's current structure for its Federal Supply Service (FSS) and Federal Technology Service (FTS). The Committee intends to hold additional hearings on GSA structural issues as they relate to the instances of contract mismanagement in FTS as revealed by the recent GSA IG reports. The Committee will consider whether legislation is a viable remedy to these and other management problems within the agency.

Oversight of Information Technology and Information Policy

Information Security

The Federal Information Security Management Act of 2002 (FISMA) provides an important comprehensive information security framework for federal agencies. The Committee will continue its aggressive oversight of FISMA implementation. Specifically, the Committee will be releasing the federal agency FISMA compliance scorecards and review FISMA implementation to determine whether there is a need to amend or clarify provisions.

E-Government

The Committee will continue oversight of the Electronic Government Act of 2002 initiatives to further the federal government's use of information technology to improve government services and operations. In particular, the Committee will review the consistent under-funding of the electronic government fund.

Information Sharing

The Intelligence Reform and Terrorism Prevention Act of 2004 enacted the most dramatic reform of our nation's intelligence capabilities in almost 50 years. The Intelligence Reform and Terrorism Prevention Act of 2004 requires the President to establish a trusted and secure information sharing environment to promote the sharing of intelligence and homeland security information in a manner consistent with national security and the protection of privacy and civil liberties. The Committee will oversee the implementation of this government-wide information-sharing environment.

Information Classification

Recent years have seen the multiplication of policies and regulations governing so-called “sensitive but unclassified” information. While there is certain information that ought to be protected but cannot be classified (such as Protected Critical Infrastructure Information, which the government does not own and may not therefore classify) the Committee is concerned that federal agencies have started relying too heavily on such categorization as a way to bypass the traditional classification and clearance structure. The Committee believes in maintaining, to the greatest extent practicable, consistent and uniform policies governing the control of government-owned, sensitive information. An overlapping or stove piped policy will only create confusion and inefficiency.

IPv6

The Committee will oversee the federal government's migration to Internet Protocol version 6 (IPv6). The current generation of IP, version 4 (IPv4), has been in use for more than 20 years and has supported the internet's growth over the last decade. There are, however, concerns about the ability of IPv4 to accommodate emerging demand, especially the anticipated demand for unique internet addresses. IPv6 has been developed to accommodate whatever level of demand emerges as well as provide other features and capabilities not available through IPv4. As a major purchaser of IPv6 products and services, federal agencies could play a significant role as early adaptors of IPv6. The Committee will oversee the federal government's migration to IPv6 in order to ensure that it is done efficiently.

Agency Use of Emerging Technologies and Standards

The Committee will oversee federal government use of emerging technologies such as Radio Frequency Identification (RFID) and Nanotechnology. In addition, the Committee will oversee federal government involvement in various standards setting organizations as well as federal government implementation of approved standards for various emerging technologies and processes.

Information Privacy

In a post 9-11 world it is imperative that government find the appropriate balance between protecting our homeland and safeguarding privacy and civil liberties. 9-11 Commissioners John Lehman and Bob Kerrey testified at a Government Reform Committee hearing about the need to balance privacy and civil liberty concerns with the growing need to obtain and share information. The Committee was involved in crafting the information sharing language in the Intelligence Reform Act of 2004 and will closely oversee implementation of the information sharing environment to ensure that privacy and civil liberties are protected. In addition, this is the committee of jurisdiction over the Freedom of Information Act (FOIA) and the Federal Advisory Committee Act (FACA) both of which stand for open government and are very important to our citizens'

confidence in government. As the gatekeeper of FOIA and FACA, this committee is closely monitoring the privacy debate.

Intellectual Property Piracy

The Committee held a hearing on intellectual property piracy that focused on U.S. efforts to enforce domestic laws and encourage foreign countries to adopt and enforce regulations to protect intellectual property rights, as well as international efforts to protect U.S. intellectual property rights abroad. Since that hearing, the Administration announced the Strategy Targeting Organized Piracy (STOP) Initiative, which involves coordinated efforts by the Departments of State, Commerce, Justice, and USTR. The Committee will continue to monitor intellectual property piracy problems, both domestic and international, and examine the effectiveness of U.S. policies to combat those problems.

Department of the Interior's Tribal Recognition Process

The Bureau of Indian Affairs' process for recognizing Indian tribes has received scrutiny from the Committee. The recognition process affects the public in many ways, including tribal acquisition of land and casino expansion. The Committee will continue to evaluate the Bureau of Indian Affairs exercise of its authority to recognize tribes and the effect of those decisions on localities throughout the country. The Committee will also consider whether additional specificity in recognition criteria is warranted.

Oversight of the District of Columbia

The Committee will continue its active oversight of initiatives important to the District of Columbia (District or D.C.) and the Congress by focusing on the continued financial management and economic policies of the District government, improvement of programs funded by the federal government, and regional emergency preparedness and response activities. During the 109th Congress, the focus of the work of the Committee will be aimed at protecting the federal interest by ensuring that the District government continues to be financially healthy and to provide quality service to visitors, residents, and federal users of the District services.

Education Reform

Over the past decade, Congress has spent considerable time and resources working with the District to reform its education system. Congress has supported school choice in the District of Columbia by passing legislation creating charter schools and the D.C. Opportunity Scholarship Program and reauthorizing the D.C. College Access Act. The Committee will continue to examine current efforts to improve academic performance and promote an atmosphere for positive change and reform within the District's school system.

Emergency Preparedness

The tragic events of September 11, 2001, unfortunately confirmed the recognition of the National Capital Region as a terrorist target. As a result, the federal government and local Washington area jurisdictions have taken a number of actions to improve coordination of emergency preparedness efforts. It's a delicate balance to respond to emergencies adequately and safely and to make sure residents, businesses, and governments in the region can carry on with their normal activities. The Committee hopes to assess the progress that has been made in better positioning the region to address potential threats.

WMATA

The Washington Metropolitan Area Transit Authority (WMATA) was created in 1967 by an interstate compact that resulted from the enactment of identical legislation by Virginia, Maryland, and the District of Columbia, with the concurrence of Congress. WMATA was established to "plan, finance, construct, and operate a comprehensive mass transportation system in the National Capital Region." WMATA faces challenges caused by an aging infrastructure and growing ridership. The Committee will continue to conduct oversight over WMATA affairs.

D.C. Courts/Family Courts

Last year, the Committee held a hearing on the management and operations of the D.C. Courts. We examined specific concerns in the Family Court and the Probate Division. The Committee will follow up with a series of hearings addressing various aspects of court management and operations, including reforms in the administration of the register of Wills office, timeliness of hearing transcripts, and transparency of court information. The Committee will also continue its oversight of the management and operations of the D.C. Family Court and ensure that it is meeting the requirements set in the D.C. Family Court Act.

Child Family Services Agency/Youth Services Administration

The Committee will continue to monitor critical issues involving the Child and Family Services Agency, including the management of the agency, timely placement of children in foster homes, the recruitment and retention of foster families in D.C., social worker caseloads, and the recruitment and retention of social workers.

The D.C. juvenile justice agency was formerly known as the Youth Services Administration and has been the defendant in a class-action lawsuit that has lasted for many years. The agency organization was bifurcated in a way reminiscent of the Child and Family Services Agency (CFSA). The city has been quick to identify the necessary corrective action because of both the requirements in the court orders and its experience with the CFSA receivership. The Department of Youth Rehabilitation Services was established as a cabinet-level agency and the Mayor has recently appointed Vincent

Schiraldi to lead it. The Committee will continue its oversight of the Department's reorganization and its efforts to meet the criteria established in the court orders.

Grant Administration

Department of Health's administration of Center for Disease Control and Prevention grants has resulted in suspension of cancer screening funds for Project WISH. Other programs are also in jeopardy. Mismanagement in other departments has been reported, including the Department of Human Services' oversight of Community Services Block grants, with problems at the United Planning Organization. The Committee will continue to evaluate the District of Columbia government's efforts to comply with federal grant requirements, focusing initially on health-related programs, and other welfare programs.

Lead in the Water/Water and Sewer Authority

Since January 2004, the District of Columbia has been subjected to a barrage of reports that its drinking water supply contains excessive amounts of lead, well in excess of the Environmental Protection Agency (EPA) prescribed action level. The responses to those tests by both EPA and the Washington Water and Sewer Authority have been investigated by the Committee and analyzed to determine compliance with the Safe Drinking Water Act. The Committee will continue to monitor developments as a result of the lead in the water problem.

D.C. Voting Rights

During the 108th Congress, the Committee held a hearing on voting representation in the District. The Committee will continue to study and lead the dialogue on granting voting rights to District residents.

Flu Vaccine Supply and State and Local Health Preparedness

The Committee's investigation into the issues surrounding the influenza vaccine supply began early in the second session of the 108th Congress. The Committee held a flu pandemic hearing in February 2004 and an emergency hearing in October 2004 regarding Chiron's license suspension and the resulting flu vaccine shortage. A third hearing was held in November, following several meetings with Chiron, and U.S. and British health authorities. The Committee will continue to examine the actions taken by the Department of Health and Human Services, the Centers for Disease Control and Prevention, and the Food and Drug Administration to fully prepare for an unpredictable 2005-2006 flu season and how these federal agencies are providing guidance and coordinating with state and local health officials. The Committee will also review the need for legislation and discuss specific solutions to ensure a stable annual flu vaccine supply.

Review of FDA Oversight and Enforcement

The Committee will continue to investigate the Food and Drug Administration's (FDA) post-marketing surveillance of drugs, and whether FDA has the appropriate authority and resources to adequately monitor the safety of drugs. The Committee intends to consider the adequacy of FDA's guidance documents regarding risk management after approval of a drug by exploring what types of post-marketing commitments FDA requests of drug sponsors and what formal procedures FDA has in place for monitoring or establishing whether a post-marketing commitment is met. The Committee will also review FDA's enforcement authorities under existing law, including enforcement of provisions against false and misleading advertisements and provisions guaranteeing the use of good manufacturing practices for drugs, biologics, and vaccines.

Review of USDA's Expanded BSE Cattle Surveillance Program

Over a year has passed since the first case of Bovine Spongiform Encephalopathy (BSE, or commonly known as "mad cow disease") was discovered in the U.S. In that time, the U.S. Department of Agriculture (USDA) implemented an expanded surveillance program to detect the presence of BSE in the U.S. cattle population. The Committee held a hearing in July 2004 to examine USDA's expanded BSE surveillance program and voiced concerns regarding the written protocols of the plan and the management of its implementation. This hearing was the culmination of the Committee's seven-month investigation into USDA's response to the BSE-infected cow in Washington State and the subsequent changes made to USDA's surveillance program. The Committee will continue to evaluate how the program has been implemented and its effectiveness. With the latest discovery of BSE infected cattle in Canada, the Committee will look into recent decisions by the Department regarding specific written protocols and the importation of beef products from Canada and other countries.

21st Century Healthcare

The Committee will continue to monitor the development and implementation of an efficient, secure, and reliable health information-sharing network. The emerging public health threats of the 21st Century require the seamless flow of information at all levels of government. Our country's experiences with SARS, the flu vaccine shortage, and bioterrorism preparedness have provided opportunities to examine the efforts currently underway in the advancement of information technology in the healthcare industry. Improved information sharing will provide the tools necessary to effectively respond to a bio-emergency event – whether terrorist-related or naturally occurring. The Committee plans to examine the progress and impediments to the development and implementation of an efficient, secure, and reliable health information sharing network related to public health issues and emergency response – at the clinical care delivery, public health, and consumer health levels, as well as among governmental entities at the federal, state, and local levels. While conducting oversight, the Committee will also explore the role and status of technology in contributing to the success of these efforts.

Activities for the 109th Congress
Subcommittees

*Subcommittee on National Security, Emerging Threats
and International Relations*

In the 109th Congress, the Subcommittee will undertake oversight inquiries, reviews, General Accounting Office audits, and/or hearings in the following issue areas:

1. National and Homeland Security

- A.** Security procedures at civilian and military nuclear facilities, including National Nuclear Security Administration (NNSA) and Nuclear Regulatory Commission policies and procedures on the use of private security contractors.
- B.** Port security improvements and coordination between federal, state, county, local and private authorities in securing shipping.
- C.** Implementation of homeland security strategies and implementation of the Homeland Security Act of 2002.
- D.** Doctrine and role of NORTHCOM and DOD in homeland security.
- E.** Implementation of 9/11 Commission recommendations on matters within the Subcommittee's jurisdiction.
- F.** Use of funds appropriated for medical screening, testing and treatment of first responders and others who responded to the terrorist attack on New York on September 11, 2001.
- G.** Management of pharmaceutical stockpile programs.
- H.** Status of effort to enhance air cargo security.
- I.** Research coordination and funding priorities for chemical and biological countermeasures (i.e. vaccines, post-exposure therapeutics), particularly the DOD Joint Vaccine Acquisition Program.
- J.** Project BioShield implementation, particularly with regard to safeguards against mandatory use of experimental products by military personnel.

2. Emerging Threats

- A. Status of U.S. compliance with requirements of the Biological and Toxic Weapons Convention and efforts to strengthen enforcement and other biological weapons counter proliferation strategies.
- B. Critical infrastructure (i.e. chemical facilities, electrical plants) threat assessment and security strategies.
- C. Assessment of tools, methods and protocols to detect and determine the extent of anthrax contamination.

3. International Terrorism

- A. U.S. support for the World Health Organization and other international disease surveillance programs as counterterrorism sentinels.
- B. Implementation of bilateral cooperative agreements with the UK and Israel on development of counterterrorism technologies.

4. Department of Defense (DOD) Programs and Spending

- A. Coordination and priority setting for research, development and acquisition activities for chemical and biological defense equipment: masks, suits, detectors, decontamination equipment.
- B. Extent and consistency of CBRN training.
- C. Adherence to technology maturation analyses being used to develop the Joint Strike Fighter (JSF) aircraft.
- D. Effectiveness of F-22 Raptor program cost containment strategies.
- E. Management and effectiveness of certain DOD threat reduction programs, particularly regarding chemical and nuclear weapons in the former Soviet Union.
- F. Systemic waste, abuse and control weaknesses in the Defense Reutilization Marketing Service.
- G. Extent of use, standards for, and management of armed contractors by DOD and other federal agencies.
- H. Efficiency and effectiveness of DOD communication satellite contracting practices.
- I. Compliance with DOD security regulations for presidential support activities (PSAs).

- J. Implementation and effectiveness of DOD monitoring program for occupational and environmental health hazards for troops deployed in Operation Iraqi Freedom.
- K. Review of host nation security support for U.S. military installations.
- L. Implications of U.S. Army transformation plans for forces required in post-conflict situations, including efforts to properly train and equip U.S. military forces.

5. Department of Veterans Affairs (VA) and Spending

- A. Implementation of the Gulf War Veterans' Health Act, particularly VA exposure risk determinations, Gulf War veterans' service-connection determinations and research coordination.
- B. VA initiative to test and treat veterans at risk for Hepatitis C infection.
- C. Delays and inconsistencies in VA Benefits Administration reports on Gulf War veterans.
- D. Scope and effectiveness of DOD and VA surveillance and monitoring of long-term cancer rates associated with Gulf War (Desert Shield/Storm) deployment.

6. Department of State and USAID Programs and Spending

- A. Status of federal efforts to enhance security training and awareness of Americans abroad.
- B. Implementation of State Department rightsizing initiatives.
- C. Scope and effectiveness of humanitarian assistance and reconstruction efforts in post-war Iraq.
- D. Scope and implications of the United Nations Oil for Food Program scandal.
- E. Management of, and accountability for, funds entrusted to the Development Fund for Iraq (DFI).
- F. Status of efforts to strengthen the visa revocation process.
- G. Effectiveness of management systems and initial results of the Millennium Challenge Corporation (MCC).

- H. Status of efforts to improve U.S. public diplomacy efforts, particularly in the Arab and Muslim world.
- I. Review the effectiveness of State Department, U.S. Agency for International Development (USAID), and other U.S. government agency assistance to the Arab and Muslim world, including the Middle East Peace Initiative (MEPI).

7. Post-Conflict Iraq

- A. Status and pace of multilateral, federal and private reconstruction efforts.
- B. Scope and reach of democracy-building efforts in Iraq, particularly those activities undertaken by NDI funded entities and other NGOs.
- C. Progress and challenges in training and equipping Iraqi forces.

Subcommittee on Criminal Justice, Drug Policy and Human Resources

This memo provides the Oversight Plan for the Subcommittee on Criminal Justice, Drug Policy, and Human Resources for the 109th Congress, pursuant to House Rule X. The Subcommittee expects to conduct authorization and oversight activity on the following matters during this Congress:

Drug Policy

- **ONDCP Reauthorization**: The Subcommittee will be required to develop legislation to reauthorize the Office of National Drug Control Policy (ONDCP) and its programs during the 109th Congress. The last authorization of the office (\$523 million in FY '03) expired in September 2003. In addition to the office itself, many of its subsidiary programs will require authorization, most notably the High Intensity Drug Trafficking Areas (HIDTA) program and the National Youth Anti-Drug Media Campaign. The Subcommittee also intends to examine the process by which ONDCP prepares and certifies the federal government's drug control budget.
- **Methamphetamine Abuse Prevention**: The problem of methamphetamine trafficking and abuse is a growing issue that will have to be addressed by the 109th Congress. The Subcommittee intends to continue its study of the problem and to explore new legislative solutions, including controlling access to precursor chemicals and increasing penalties for trafficking.
- **National Drug Control Budgets for 2006**: The Subcommittee has conducted a consistent program of oversight to examine the adequacy of budget proposals for

key federal organizations with drug enforcement, education, and treatment programs, including Coast Guard, CBP border inspections, Border Patrol, AMO, and ICE investigations, DEA, OCEDEF, and the Criminal Division at DOJ, and the Departments of Education, Health and Human Services and Veterans Affairs. Key questions include how the Administration plans to handle all of the law enforcement and security responsibilities assigned to its entities, and how Congress and the Administration will allocate responsibilities within DHS.

- **State Drug Legalization Initiatives:** The Subcommittee will examine the best and most appropriate approach to continue strong opposition at the federal level to drug legalization and decriminalization, and the so-called “harm reduction” movement.
- **International and Interdiction Issues**
 - **Counterdrug Information and Intelligence Sharing:** The shortfalls in intelligence and key information sharing described in the 9/11 Commission Report are not confined to the FBI and CIA. Information sharing failures extend to the agencies entrusted with protecting our borders and interdicting illegal drugs – several of which are now combined in the Department of Homeland Security. In fact, the 9/11 terrorists each had to clear federal customs and immigration authorities, and had brushes with local law enforcement. If everyone had all the information on these killers, they might not have been able to carry out their planned attacks. These problems can also undermine our efforts to identify and stop drug traffickers. The Subcommittee will examine what actions can be taken to prevent the “stovepiping” of drug interdiction intelligence, and to promote information sharing across the federal government.
 - **Afghanistan's Opium Epidemic:** The United Nations Office on Drugs and Crime (UNODC) has conducted annual opium poppy surveys in Afghanistan since 1994. The 2003 Survey shows that in 2003, Afghanistan again produced three-quarters of the world's illicit opium, resulting in income to Afghan opium farmers and traffickers on the order of \$2.3 billion, a sum equivalent to half the legitimate GDP of the country. The 2004 annual U.S. Government estimate for opium poppy cultivation in Afghanistan is complete and shows that approximately 206,700 hectares of poppy were cultivated during the most recent crop season. Current cultivation levels equate to a potential production of 4,950 metric tons of opium. This represents a 239 percent increase in the poppy crop and a 73 percent increase in potential opium production over 2003 estimates. UNODC concluded that “out of this drug chest, some provincial administrators and military commanders take a considerable share... Terrorists take a cut as well... the longer this happens, the greater the threat to security within the country and on its borders. There is a

palpable risk that Afghanistan will again turn into a failed state, this time in the hands of drug cartels and narco-terrorists...” The Subcommittee will review what actions can be taken to address U.S. and coalition efforts to stop heroin cultivation. The Subcommittee will continue to investigate the continuing connection between heroin and terrorist/insurgent financing.

- Mexico and the Southwest Border: During the last Congress, the Subcommittee continued to focus on the multitude of diverse issues that affect the rampant drug smuggling activities through the Southwest Border region. According to the 2005 Joint Interagency Task Force South estimate, 86% (about 344 metric tons) of the cocaine smuggled in to the U.S. will come through the Southwest Border region. The Subcommittee will examine how we can better coordinate with Mexico, and how we can make the federal, state and local agencies more effective?
- Operation Panama Express: The 2004 National Drug Control Strategy made note of the tremendous successes of Operation Panama Express, an intelligence-driven program managed by the Departments of Justice and Homeland Security. Members of the “Operation Panama Express” team include the U.S. Attorney for the Middle District of Florida, the U.S. Coast Guard, U.S. Immigration and Customs Enforcement (ICE), Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the Joint Interagency Task Force-South (JIATF-South), the Internal Revenue Service - Criminal Investigative Division, the Florida Department of Law Enforcement, and the Sheriff’s Offices from Pinellas and Sarasota Counties. As a direct result of the success of this operation, the Coast Guard seized a record 240,518 pounds of cocaine, worth approximately \$7.7 billion during fiscal year 2004. The previous annual record of 138,393 pounds was set back in 2001. The Subcommittee will examine what is the best and most appropriate approach to fully support Operation Panama Express, and how can it be used as a model for other areas of drug interdiction.
- Enhanced Focus on Drugs/Terrorism – The Subcommittee’s previous oversight activities have made us aware of numerous pending drug cases with significant and very specific links to international terrorism. The Subcommittee will review how we can best heighten public awareness of these cases and the demonstrable links between the drug trade and terrorism.
- Department of Homeland Security and Counternarcotics Enforcement – In December, Congress passed and President Bush signed into law Chairman Souder’s proposal to upgrade the original position of DHS Counternarcotics Officer to an Office of Counternarcotics Enforcement, with a dedicated staff and a Senate-confirmed Director of

Counternarcotics Enforcement. The Subcommittee intends to closely monitor the activities of the new Office, and the level of resources and support provided to it by the Department.

- Status of Colombia Programs and the Andean Counterdrug Initiative – President Uribe has significantly increased his support for drug eradication programs in Colombia, which has led to a fairly significant increase in activity and effectiveness. More and more members of Colombian foreign terrorist organizations, most of whom were involved in drug trafficking, are laying down their arms and surrendering to the Colombian government. The Subcommittee will consider what the U.S. role should be in assisting the effort by the Colombian government to demobilize these former members and reintegrate them into law-abiding society.
- **Drug Prevention and Treatment**
 - Treatment Initiatives – The President’s “Access to Recovery” initiative to increase the availability and effectiveness of drug treatment is completing its first year in existence. The Subcommittee will oversee how the program has been implemented and what is likely to be the immediate impact for Americans seeking treatment. The Subcommittee will also consider whether funding for the program be increased, and should it be a model for other federal treatment and social services programs.
 - Status of Federal Prevention Programs – The federal government continues to have a largely uncoordinated and frequently unfocused group of drug prevention programs. The Subcommittee will consider how we can better coordinate them and make them more effective.
 - Drug Testing: A recent Oregon study found that students who were regularly drug tested in schools are much less likely to use illegal narcotics, and enhanced awareness of testing has been a significant initiative of ONDCP. The Subcommittee will examine how we can work to make the public aware of the importance of testing and what federal programs can be supported to facilitate testing and accountability among youth.
- **Law Enforcement**
 - Needle Exchange Enforcement: Federal and state court opinions issued in New York City and Massachusetts essentially held that participants in needle exchange programs could not be arrested for drug use. The Justice Department has not determined whether it will be aggressively appealing the federal decision. The Subcommittee will consider how can we work to continue effective law enforcement in these areas.

Justice

- **Effect of Homeland Security on Federal Law Enforcement:** Since Congressman Souder became chairman in 2001, the Subcommittee has conducted a number of hearings on the impact that the creation and reorganization of the Department of Homeland Security is having on other federal law enforcement agencies – primarily examining whether the intense focus on preventing and responding to terrorist strikes would adversely affect the resources, focus, or personnel available to more traditional law enforcement missions which did not disappear after 9/11. These issues will require ongoing attention to ensure the continued effectiveness of the overall system.
- **Border:** The Subcommittee has also carried out an exhaustive review of U.S. border agencies and policies since 2001. The Subcommittee expects to continue careful oversight of border security and law enforcement issues, particularly on the Southwest border.
- **Law Enforcement and Telecommunications:** Federal law enforcement agencies have raised concerns that many providers of new Internet-based communications technologies are operating as if the provisions of CALEA do not apply to them – in particular, the requirement that telecom companies provide quick access to law enforcement agencies that have valid, legal wiretap orders. The Subcommittee intends to monitor this situation closely and propose legislative changes if necessary to ensure our law enforcement officers can continue to investigate criminal organizations and protect the public safety.

Human Resources/Social Policy

- **Health and Social Policy Oversight:** The Subcommittee has conducted an aggressive program of oversight of the Department of Health and Human Services as it affects health and social policy, focused most prominently on bioethics (including human cloning and stem cell research), human life issues, racial health disparities, reproductive health, HIV policy, and health issues impacting illegal drug policy. These oversight activities are expected to continue at the same intensity in the 109th Congress.

Faith-Based Initiatives: The Subcommittee has oversight jurisdiction for the White House Office of Faith and Community Based Initiatives, and has worked regularly with Administration officials on development of executive branch policies to promote faith-based charities, on the status of pilot programs, and on pending legislative proposals on the issue and outreach to the faith-based social provider community. These activities are expected to intensify in the 109th Congress.

Subcommittee on Government Management, Finance, and Accountability

A major part of the Subcommittee on Government Management, Finance, and Accountability's oversight responsibility involves the performance and accountability measures of the President's Management Agenda. To meet this responsibility, the Subcommittee expects to focus on issues related to governing with accountability, a significant part of the President's Management Agenda. The Subcommittee will conduct substantive review of the effectiveness of the Government Performance and Results Act (GPRA), and an examination of GPRA's relationship to the Office of Management and Budget's initiative known as the Program Assessment Rating Tool (PART), as well as reviewing H.R. 185, which would establish a statutory requirement for program assessments.

The Subcommittee will also review the management initiatives included in the President's budget for fiscal years 2006, including the President's proposal to establish a Sunset Commission. The Sunset Commission, as proposed, would review each Federal program on a schedule established by Congress to determine whether it is producing results and should continue to be authorized by Congress.

One of the most important aspects of governing with accountability is the generation of timely, accurate, and useful financial information. Without this information, it becomes impossible to complete cost/benefit analyses or to assess the financial impact of programs relative to their budgetary outlays. In this light, financial management must be a high priority for agency management. The Subcommittee will continue to look at the changing dynamics of federal management.

The Subcommittee plans to review the multitude of financial management laws and regulations with which agencies are expected to comply. It is the Subcommittee's belief that accountability can be greatly enhanced if these laws were streamlined and consolidated into a uniform statute. The Subcommittee will examine these ideas in significant detail as part of its oversight throughout the 109th Congress.

The Subcommittee will also examine financial and performance management practices at departments and agencies within the executive branch of the federal government. This oversight will include a review of the Consolidated Financial Statements of the federal government, reviews of individual agency accounting practices, and examining agency compliance with existing federal financial laws. The Subcommittee plans to review financial management at the Departments of Defense and Homeland Security, as well as others. In addition, the Subcommittee will focus on agencies' efforts to eliminate waste, fraud and mismanagement in taxpayer-funded federal programs.

The Subcommittee plans a renewed focus on the Federal Managers Financial Integrity Act of 1982 (FMFIA), which establishes internal control requirements for federal agencies. FMFIA, combined with the recently revised OMB Circular A-123, establishes minimum control requirements to ensure accountability.

The Subcommittee plans to oversee the implementation of Public Law 107-289, the "Accountability of Tax Dollars Act of 2002". The Chief Financial Officers Act of 1990 requires the 24 largest federal agencies to annually release audited financial statements. The Bush Administration is pushing the 24 CFO Act Agencies further by requiring them to submit their audited financial statements 45 days after the end of the fiscal year. The Accountability of Tax Dollars Act extends the requirement to submit audited financial statements to all federal agencies, regardless of size (the law does give OMB the authority to exempt small federal agencies if the risks associated with the agency's operations is negligible). Financial accountability is something that should be expected of all federal agencies rather than just the largest federal agencies. The Subcommittee intends to promote this worthy goal.

The Subcommittee intends to work with the Administration on the implementation of Public Law 107-300, the "Improper Payments Reduction Act of 2002." The law requires the 24 CFO Act agencies to conduct a risk analysis of their financial practices to determine whether they administer any programs that are unduly susceptible to waste, fraud or mismanagement. When programs are determined to be susceptible, the law requires the agency to submit an estimate of the extent of the improper payment. GAO estimated improper payments reported by federal agencies to be approximately \$35 billion in FY2004, but the actual amount is likely billions of dollars higher. This legislation will give the public a much better sense of the extent of funds that are being improperly administered by federal agencies.

The Subcommittee will oversee the government's implementation of the Chief Financial Officers Act; the Debt Collection Improvement Act; the Government Performance and Results Act; the Inspector General Act; and other significant legislative initiatives that fall within the Subcommittee's jurisdiction.

Subcommittee on Regulatory Affairs

In the recent years it has become increasingly obvious that the commercial community is increasingly sensitive to the effects of excessive regulation. The United States has learned that to be competitive in the global marketplace it must consider the cost of any new rule or reporting requirement. The cost of such excessiveness is now measured in American jobs. It is the goal of this Subcommittee to use every tool available to protect and increase American competitiveness.

The Subcommittee on Regulatory Affairs plans to use its oversight efforts to identify areas where the U.S. Government places an unduly heavy regulatory and reporting burden on the American citizen and business. Where possible, the Subcommittee will advocate for a reasonable burden and reduction of the reporting burden where feasible. To do this, the Subcommittee will highlight the efforts currently underway in the Administration.

The Subcommittee will also reach out to the American public at large and seek to demonstrate the human cost of runaway regulations and reporting requirements. The Subcommittee will also perform close oversight over the development of major rules to insure that they comply with Congressional and Presidential mandates to use sound, peer-reviewed science. The Subcommittee will also work to ensure that agencies use the most recent and trustworthy data in enforcing their regulations.

As outlined in 2004 in the Oversight Plan for the Subcommittee on Government Reform, the Subcommittee will continue its oversight role of the Office of Management and Budget's Office of Information and Regulatory Affairs (OIRA) by ensuring agency compliance with the Paperwork Reduction Act. The Internal Revenue Service (IRS) accounts for over 80 percent of the government-wide paperwork burden, and the Subcommittee will continue to work with relevant Committees to encourage OIRA to work to reduce IRS paperwork.

The Subcommittee will continue to examine OIRA's record in evaluating and reporting on the costs and benefits of federal regulatory programs. Since the regulatory accounting law required OMB to include aggregate estimates by agency and by agency program, the Subcommittee will further its efforts for OIRA to systematically seek agency input.

In the new global market, buyers and sellers are more price sensitive and more willing to make multiple changes to improve their competitive advantage. Small businesses are especially vulnerable to every increase in the cost of doing business in America. Consequently, the burdens the U.S. Government places on these companies needs to be carefully evaluated in light of the cost of American jobs and livelihood. The current rulemaking system in this country is an archaic and ineffective process. Regulations should be generated in an environment in which all parties are fairly heard. Industry, as it were, is not the enemy. For that matter, issue oriented advocacy groups also serve a vital purpose as well. Finally, the academic community is not a monolith; it should be obvious that often very good science will arrive at diverse and even opposite opinions. All parties belong at the table and all should be heard. The Subcommittee will look at cases where some parties do not feel their point of view is properly considered. When appropriate, the Subcommittee will exercise its oversight authority to examine particular rules to uncover how the decisions surrounding those rules came about.

Finally, the Subcommittee will work closely with the full Committee to explore any need for changes in the PRA and will develop recommendations on those changes in preparation for reauthorizing the Act.

Subcommittee on Federalism and the Census

This is the oversight plan of the Subcommittee on Federalism and the Census. It includes the areas in which the Subcommittee expects to conduct oversight during the

109th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

Census Bureau

The Subcommittee oversees the activities of the Census Bureau. This includes ordering and reviewing GAO reports, working with stakeholders, and fighting for adequate funding. The Subcommittee also meets regularly with stakeholder groups, members of Congress, and state and local government groups to seek to understand concerns about Census activities and resolve issues when possible.

In the 109th Congress, the Subcommittee will focus on ensuring the future success of the American Community Survey (ACS). The Subcommittee will also publicize the need for increased cooperation between state and local governments and the Census Bureau to complete an updated Master Address File. The Subcommittee will look at the 2004 Census test results, in particular, the potential for using electronic devices to replace paper in 2010. The Subcommittee is also interested in making sure the ACS is leveraged to its maximum impact by assessing whether it has the capacity to replace other surveys. The Census Bureau launched the Quarterly Services Survey (QSS), which measures the services sector of the U.S. economy. The Subcommittee intends to examine the process of creating this new economic indicator and ask whether other new indicators are needed.

Federal Grants Management

The U.S. Government supports various state and local projects through a myriad of federal grant programs. The Subcommittee will look into how the federal government administers these programs and how state and local governments use the funds. The Subcommittee will explore how these federal grants can be optimized so that the needs of these state and local governments are better met. We will look into identifying program inefficiencies and redundancies and then make recommendations on how we revamp these programs.

Subcommittee on Energy and Resources

During the 109th Congress, the Subcommittee plans a robust schedule of hearings on the two principal areas within its jurisdiction: energy and resources. With energy a primary driver of our economy, the Subcommittee intends to closely examine national energy policy. In light of the increased cost of energy resources, including gas, oil, coal, minerals, electricity, and the ever increasing demand by other nations competing for those energy resources, the Subcommittee will look at the effects on the U.S. and world economy including the U.S. balance of trade and the stability of the dollar. The Subcommittee will examine U.S. policies relating to the development, exploration, conservation, production, and consumption of electricity, oil and natural gas, hydroelectric power, nuclear power, and all aspects of renewable energy.

The Subcommittee also intends to critically examine projections of future crude oil supplies and how significant changes in world consumption requirements, such as increasing Chinese consumption requirements, will affect different regions around the country, including California, and the national economy. As a part of this oversight, the Subcommittee will monitor the impact of potential supply interruptions from OPEC and other international suppliers on the U.S. and international economy. A thorough review of our domestic fuel policies, refinery capacity and the proliferation of boutique fuels will be included in the Subcommittee's work.

The Subcommittee will exercise its oversight responsibilities pertaining to the activities of the Federal Energy Regulatory Commission (FERC). The electric industry and market has undergone dramatic changes over the last decade. With states and regions restructuring the electric industry and the increased development of regional transmission organizations around the country, the Subcommittee will focus its efforts on reviewing the development and expansion of efficient markets. The generation, distribution and transmission of electricity are important components to an efficient market and will be included in the Subcommittee's work. In the aftermath of the 2000-2001 energy crisis in the West, the electricity markets in California and the West continue to impact energy policy. Thus, the Subcommittee will continue to focus on these issues. The Subcommittee will review the overall development of renewable and alternative energy technologies and assess policy implications which could accelerate the development of these technologies and accelerate their entry into the market place for the consumer, thereby reducing the U.S. dependence on foreign sources of energy.

The Subcommittee will exercise its oversight responsibilities pertaining to the Department of Interior, the Department of Agriculture and the Environmental Protection Agency (EPA). The Subcommittee will initiate oversight on natural resource issues, including but not limited to, water and air quality, access to public lands, federal lands issues including land management and multiple uses, and how they affect Indian tribal nation matters. As part of its oversight responsibility on natural resources and environmental issues, the Subcommittee intends to review EPA's actions affecting environmental and natural resource issues, including but not limited to wetlands, and EPA actions and policies affecting energy development and production, including its oxygenate mandate, hydrogen power, and alternative energy supplies generally.

Subcommittee on the Federal Workforce and Agency Organization

This is the oversight plan of the Subcommittee on the Federal Workforce and Agency Organization. It includes the areas in which the Subcommittee expects to conduct oversight during the 109th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

FEDERAL LAW ENFORCEMENT PAY AND BENEFITS REFORM

Several pieces of legislation were introduced in the 108th Congress to address compensation and benefits for federal law enforcement officers – an area that most agree is in serious need of reform. Realizing the complex nature and import of these issues, former-Chairwoman Jo Ann Davis and Senator George Voinovich introduced companion pieces of legislation requiring the Office of Personnel Management (OPM) to study the issue of law enforcement compensation. That legislation was enacted as Public Law 108-196 at the end of 2003. By July 2004, OPM issued its report recognizing that “the demands on federal law enforcement agencies and their personnel are global, changing, and increasing; however, the systems of pay and benefits do not reflect this reality and remain fragmented and inflexible.” OPM, in its report, took the position that Congress should enact legislation authorizing OPM to issue regulations that would eliminate unwarranted disparities in these areas while providing appropriate pay and benefits for employees in law enforcement occupations. The Subcommittee expects to continue developing a comprehensive federal law enforcement pay and benefits reform bill.

IMPROVING THE HIRING PROCESS IN THE FEDERAL GOVERNMENT

The federal government takes on average 4-8 months to hire employees, from the time a job vacancy announcement is publicly posted until an offer is made to a candidate. Although data from the private sector is difficult to confirm, it is estimated that private firms take an average of 2-6 weeks to conduct a similar process. In the 108th Congress, the Subcommittee held two oversight hearings to examine the reasons for the delays in the federal process and uncovered a number of deep-seated problems, including: unclear vacancy announcements, excessive layers of approval, little use of statutory hiring flexibilities, and poor guidance from the Office of Personnel Management (OPM). OPM is working to reform hiring at select agencies through its “Extreme Hiring Makeover” project. The Subcommittee intends to prepare a report on the federal hiring process and will continue to engage in oversight of this area and explore legislative remedies.

PAY FOR PERFORMANCE

With the passage of the Homeland Security Act in 2002 creating a new personnel system for the new Department of Homeland Security (DHS), the passage of the National Security Personnel System for the Department of Defense (DoD) in 2003, the establishment of a new governmentwide performance-based pay system for members of the Senior Executive Service (SES) in 2004, and the growing number of agencies wishing to adopt similar pay flexibilities, time is ripe to engage in aggressive oversight of the implementation of the new personnel systems at DoD, DHS and for the members of the SES. The Subcommittee also expects to establish a governmentwide performance-based compensation framework for all federal personnel systems. In fact, the Office of Management and Budget (OMB) announced on January 26, 2005, that the Administration will propose revamping personnel rules governmentwide sometime in 2005 and such proposal will be reflected in the President’s fiscal 2006 budget proposal. OMB expects the proposal to resemble the new personnel systems being developed at DoD and DHS.

THRIFT SAVINGS PLAN (PREPARING FOR RETIREMENT)

The Thrift Savings Plan (TSP) is an integral part of the retirement benefits package offered to federal employees under the Federal Employees Retirement System (FERS). Similar to the 401(k) offered by private sector companies, federal employees may contribute tax-deferred money into any of five funds managed by the Federal Retirement Thrift Investment Board (FRTIB). At the end of the 108th Congress, the Subcommittee began to investigate the possibility of adding a sixth fund to the TSP, a real estate investment trust (REIT). In the 109th Congress, the Subcommittee expects to continue investigating the possibility of adding a new fund to the Plan. The Federal Retirement Thrift Investment Board also expects to have two new investment funds for federal employees in place by early 2005, the "lifestyle" and "life cycle" funds. These investment funds are not new, but rather compilations of existing funds. Moreover, the Subcommittee expects to consider whether the TSP can serve as a useful model for proposals to privatize Social Security for federal and private sector employees.

INTELLIGENCE REFORM

With the passage of the *National Security Intelligence Reform Act of 2004*, the intelligence community will face numerous management challenges in the 109th Congress. The Act created a new position, the Director of National Intelligence, to oversee the National Intelligence Program, which is comprised of more than ten agencies scattered throughout the federal government. Integration of these previously uncoordinated agencies under the Office of the Director will prove to be a management challenge on the order of the integration of the Department of Homeland Security. Subcommittee staff expects to closely monitor and oversee these implementation issues, as well as other personnel and reorganization matters.

TELECOMMUTING

There are many benefits to telecommuting, including improvements in employee morale and effectiveness; reductions in transportation costs, including car insurance, maintenance, and wear; retention of skilled employees and reduction in turnover due in part to increased job satisfaction; accommodation of employees with short- or long-term health problems or family responsibilities, such as those associated with elder care and latch-key children; cost savings to the federal government in regard to office space, sick leave absences, and energy conservation; better use of employees' peak productivity periods within the limits of established laws; reduction in automobile-created air pollution and traffic congestion; potential for increased productivity; and improved work atmosphere due to fewer co-worker non-business interruptions. In addition, Congress and the Office of Personnel Management have made telecommuting an integral part of emergency planning for continuity of operations should the federal government be shut down due to terrorism or a catastrophic event. In July 2004, the full Government Reform Committee conducted a hearing to investigate why telecommuting has remained under-funded despite the passage of legislation requiring all eligible federal workers be allowed to telecommute by April 2004. Members of Congress have threatened punitive action, including cutting agency budgets, unless this problem is remedied. In the 109th Congress, the Subcommittee will

keep vigorous attention on the funding of telecommuting by agencies, as all agencies should be fully in compliance. The Subcommittee will continue to engage in oversight of telecommuting issues and explore legislative remedies.

OVERSIGHT OF NEW PERSONNEL MANAGEMENT SYSTEMS AT THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF HOMELAND SECURITY

During the 109th Congress, the Subcommittee fully expects to engage in aggressive oversight of the Department of Defense (DoD) and the Department of Homeland Security (DHS) in their implementation of new personnel management systems. Final regulations for the new DHS Human Resources Management System were posted at the Federal Register on January 27, 2005. In addition, OPM and DoD are consulting with each other prior to the publication of final regulations for DoD's new personnel management system, the National Security Personnel System. The Subcommittee expects to closely track the progress of the implementation efforts and apply any lessons learned to proposals that would extend personnel flexibilities governmentwide.

MONITORING AGENCY USE OF FEDERAL WORKFORCE FLEXIBILITIES

In the 108th Congress, the President signed into law the Federal Workforce Flexibility Act, P.L. 108-411, aimed to modernize and update personnel flexibilities and authorities available to agencies of the federal government. The Subcommittee will engage in oversight of the effectiveness and agency use of these new management tools: 1) Recruitment, Retention and Relocation Bonuses. Federal agencies now have enhanced flexibility, within their budgets, to pay bonuses of up to 100% of pay (over a 4- year period) to help agencies recruit, retain and relocate employees in the civil service on a targeted basis. 2) Agency Training. Federal agencies are now required to link agency training programs with their performance plans and strategic goals, establish a comprehensive management succession program, and provide special training to help managers deal with employees whose performance is unacceptable. 3) Annual Leave. To help recruit qualified executives, members of the Senior Executive Service hired from the private sector will now receive the same vacation benefits as those hired internally, and other newly-hired federal employees with qualifying non-federal experience will receive credit for that experience in determining the amount of their vacation time. 4) Compensatory Time for Travel. In situations where federal employees must travel outside normal working hours, they will receive compensatory time off for their travel time.

STUDENT LOAN REPAYMENT

The Subcommittee expects to continue to engage in oversight of the student loan repayment program. Recruitment of talent to the federal government has remained a high priority as an unusually large portion of federal employees nears retirement eligibility. To replenish the workforce with younger workers, Congress has equipped agencies to recruit with the ability to repay student loan debt, reportedly the most sought after benefit for recent college graduates. In the 108th Congress, the Subcommittee ushered into law the

Federal Employee Student Loan Assistance Act, which increased the amount that agencies can repay. Agencies can now repay \$10,000 (previously \$6,000) per year and \$60,000 (previously \$40,000) in the lifetime of an employee. Most agencies, though, have been reluctant to make significant use of this flexibility in either 2002 or 2003. Additionally in the 108th Congress, Chairman Tom Davis introduced H.R. 1056, the “Generating Opportunity by Forgiving Educational Debt for Service Act of 2003,” which would allow agencies to repay student loan debt on a tax-free basis. In the 109th Congress, the Subcommittee is likely to pursue this important flexibility once again.

EARLY OPTIONAL RETIREMENT AND BUY OUTS

Agencies can, with the approval of the Office of Personnel Management (OPM), offer an early voluntary retirement option to employees during a reduction-in-force (RIF) due to a major reorganization, workload change, or other applicable reasons. Early optional retirement authority assists an agency undergoing a major reorganization, or a major transfer of function to complete such a change with a minimal disruption to its work force. When OPM determines that an agency is undergoing such a change, an eligible employee may apply to retire on an immediate annuity under the early optional retirement provisions. These provisions allow an eligible employee to retire at age 50 after 20 years of service, or at any age with 25 years of service. In addition, an agency undergoing a major reorganization, or a major transfer of function can offer a separation incentive payment to encourage employees to separate during a RIF. The lump-sum amount an agency pays to an employee after his or her voluntary separation is equivalent to the lesser of severance pay an employee would receive, \$25,000, or an amount determined by the agency head, and is paid from funds the agency would use for the employee's salary. The Subcommittee expects to review the use of these authorities to ensure that they are being used effectively.

PURSuing ANOTHER ROUND OF FEDERAL WORKFORCE FLEXIBILITIES

The Subcommittee will explore ideas for developing another round of federal workforce flexibilities and will work with the Office of Personnel Management to introduce non-controversial technical amendments to correct statutory discrepancies that have been introduced into Title 5 through legislation or judicial interpretation.

CHIEF HUMAN CAPITAL OFFICERS/SUCCESSION PLANNING

The Chief Human Capital Officers Act of 2002 (CHCO), enacted as part of the Homeland Security Act of 2002, requires the heads of Cabinet level departments and nine major agencies to appoint or designate a Chief Human Capital Officer to advise and assist the head of the agency in carrying out responsibilities for selecting, developing, training and managing a high-quality workforce. The CHCO Act also establishes a CHCO Council to advise and coordinate the activities of the agencies of its members on such matters as modernization of HR systems, improved quality of HR information, and legislation affecting HR operations and organizations. There are five Council Subcommittees which include: Subcommittee on the Hiring Process; Subcommittee on Emergency Preparedness;

Subcommittee on Performance Management; Subcommittee on Leadership Development and Succession Planning; and Subcommittee on Employee Conduct and Poor Performers. In September, 2004, the CHCO Council issued its Annual Report to Congress outlining its accomplishments for fiscal year 2004, including Council activity and meetings held, interaction with Congress, and CHCO Subcommittee activity. The Subcommittee expects to continue to monitor the progress and effectiveness of the CHCO Council and the CHCO Subcommittees, particularly in the areas of the hiring process, poor performers, performance management, and succession planning.

POOR PERFORMERS

The federal government's general inability to deal effectively with poor performers in the workplace is well known. Employee surveys have shown that the federal workforce is dismayed over the continued presence of poor performers in federal government positions. The Subcommittee expects to examine the best manner in which to approach this issue with the goal of building a case for specific legislative action. GAO is currently working on a report for the Subcommittee, which is intended to make specific recommendations based on an examination of the issue.

FEDERAL EMPLOYEE APPEALS/EMPLOYEE RIGHTS

The current appeals process for federal employees involves several agencies, including: Merit Systems Protection Board; Equal Employment Opportunity Commission; the Office of Personnel Management; the Office of Special Counsel; and the Federal Courts. In addition, agencies may have internal grievance systems for employee complaints, governed by collective bargaining agreements, and disputes between agencies and labor unions are adjudicated by the Federal Labor Relations Authority. The Subcommittee expects to fully examine the effectiveness, efficiency and necessity of the aforementioned agencies and systems and study ways to improve and streamline such procedures. Additionally, the Subcommittee expects to monitor the flexibilities given to the Department of Homeland Security and the Department of Defense for developing new appeals processes.

STREAMLINING THE PRESIDENTIAL APPOINTMENT PROCESS

In an effort to allow a President to put his Administration in place in an expeditious fashion, provisions of the Intelligence Reform bill focus on expediting the Presidential appointments process with special emphasis on streamlining the financial disclosure process for Executive branch nominees and employees. The existing financial disclosure requirements are cumbersome and seek more information than may be necessary to determine whether conflicts exist for Executive branch employees. The Subcommittee expects to conduct oversight of the new law, as well as explore the need to streamline and simplify the financial disclosure process for senior officials of ALL three branches of the federal government.

EMPLOYEE SURVEYS

Pursuant to The National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588/P.L. 108-136), the Office of Personnel Management (OPM) is now required to administer an annual survey of federal employees in all agencies to assess: leadership and management practice that contribute to agency performance; employee satisfaction with leadership policies and practices; their work environment; rewards and recognition; opportunities for professional development and growth; and opportunities to contribute to agency mission. The goal behind the employee surveys is to not only help create useful metrics to measure and improve the morale and effectiveness of the civil service workforce, but to also improve transparency and accountability within the government. Additionally, data from these surveys will provide agencies, Congress, and the public with valuable insight into the personnel issues that drive agency performance. OPM is required to issue regulations to prescribe survey questions that should appear on all agency surveys under these provisions, however, those regulations have not been released and are still pending at OPM. OPM has not announced a possible release date. The Subcommittee plans to monitor OPM's progress in administering the survey and thoroughly examine the survey results with a goal of improving the management and structure of the federal workforce.

IMPROVING THE FEDERAL EMPLOYEE HEALTH BENEFITS PROGRAM

The Federal Employees Health Benefits Program (FEHBP) became effective in 1960. It is the largest employer-sponsored group health insurance program in the world, covering over 9 million federal employees, retirees, former employees, family members, and former spouses. The Office of Personnel Management (OPM) administers the FEHBP. The Subcommittee expects to continue oversight over all FEHBP issues generally, with an emphasis on the use of Health Savings Accounts, flexible spending accounts, the Federal Long Term Care Insurance Program and the implementation of the new dental and vision benefit offerings for federal employees.

The Subcommittee is also expected to review and consider areas in which the FEHBP can help drive improvements in the quality of healthcare for its members. Such as:

- 1) Electronic Medical Records. The use of electronic medical records could reduce errors and improve the quality of care. Such records would also reduce paperwork and misdiagnosis.
- 2) Electronic Prescribing. The use of electronic prescribing would reduce prescription errors, ensure medication safety and save approximately \$28 billion per year.
- 3) Pay for Performance. Pay for performance plans in the health industry incorporate a financial reward system for providers that demonstrate good and safe care. Such plans could also provide incentive to reduce errors and waste and have great potential for improving patient care and cost savings.
- 4) OPM's *HealthierFeds* campaign and Health literacy. The Subcommittee will explore the possibility of offering incentives and rewards for those who lead healthy lifestyles and make healthy choices, i.e., non-smokers v. smokers.
- 5) Comprehensive Care for Depression. Depression often accompanies other diseases, such as diabetes and heart disease, and not only increases the cost of treatment but has an impact on the ultimate outcome. The Subcommittee will examine whether the FEHBP should include comprehensive mental health treatment.
- 6) Coordinated Care for

Chronic Diseases. The prevalence of chronic disease, especially in the elderly, coupled with the growing number of retirees, calls for coordinated care of chronic diseases.

GAO HUMAN CAPITAL FLEXIBILITIES

In the 108th Congress, the Subcommittee ushered into public law the *GAO Human Capital Reform Act of 2004*. This legislation was designed to help the Government Accountability Office (GAO), Congress' investigative arm, better design its performance management system as well as reshape its workforce through various important management flexibilities. The GAO has been a leader in human capital reforms internally and has promoted widespread reform throughout the federal government in such areas as: pay-for-performance; succession planning; workforce reshaping and hiring. GAO has been widely viewed as a model of human capital management, to serve as a benchmark of achievement for other federal agencies. In the 109th Congress, the Subcommittee expects to conduct oversight of GAO's use of its new flexibilities. Additionally, the Subcommittee may work with GAO to seek other management flexibilities to further modernize their human resources management system.

FEDERAL WILDLAND FIREFIGHTERS

The forest health conditions too often make our forests and rangelands vulnerable to catastrophic fires, which threaten communities, the natural resources on forest and rangelands and the brave wildland firefighters who risk their lives twenty-four hours a day battling intense and difficult fires. The Subcommittee expects to examine the need for reforming the way federal wildland firefighters are paid.

AGENCY ORGANIZATION

This aspect of the Subcommittee's jurisdiction includes oversight of the general organizational proficiency of all federal agencies. The Subcommittee spent considerable time investigating the organizational structure of many federal agencies and found widespread inefficiency and disorder. One area of concentration for the Subcommittee's oversight was the federal food inspection system. This system is comprised of 10 federal agencies that enforce more than 35 food safety laws, some of which were passed 100 years ago before significant scientific advances in food safety techniques were developed. Such nonsensical fragmented responsibilities, as having USDA inspecting pepperoni pizzas and the FDA inspecting cheese pizzas, leads to gaps, inconsistencies, ineffective government oversight and an unacceptable level of protection of the public. The Subcommittee's objective in this area has been to focus public attention on the need for organizational improvement in these and other agencies as a foundation for improving government services, as well as highlight the need to re-institute Presidential fast-track authority. The President in his fiscal year 2006 budget, has proposed the creation of a Results Commission. The Results Commission would review plans to consolidate or streamline programs that cross departmental or congressional jurisdictional lines. Congress would consider the Commission's recommendations under an expedited process. The

Subcommittee will continue to engage in oversight of this area and explore legislative remedies.

FAST-TRACK REORGANIZATION AUTHORITY

Fast-track authority was first given to the President in 1932 to develop a plan to reorganize the Executive branch, which would then be voted up or down in its entirety by the Congress. In the 108th Congress, both the full Government Reform Committee and the Subcommittee held hearings to discuss the possibility of reinstating this authority for the President for the first time since it expired in 1981. In the 109th Congress, fast-track authority legislation will likely be a high priority for the Government Reform Committee, having full support from Chairman Tom Davis, as well as solid support from Majority Leader Tom DeLay. The Subcommittee will continue to engage in oversight of this area and explore legislative remedies.

VIEWS OF RANKING MINORITY MEMBER HENRY A. WAXMAN

While I agree with significant parts of the Chairman's report, there are several sections that warrant comment as discussed below.

PART ONE: LEGISLATIVE ACTIVITIES

I. LEGISLATIVE ACCOMPLISHMENTS

H.R. 185, "Program Assessment and Results Act"

H.R. 185, the Program Assessment and Results Act [PARA], would require every Federal program to be reviewed or evaluated at least once every 5 years. While the concept of programmatic reviews has merit, this bill as drafted allows the program review process to be politicized. In addition, the bill fails to ensure adequate public participation. Finally, the bill permanently authorizes these reviews whereas it should have a termination date to ensure its usefulness.

During full committee markup, the minority proposed amendments to PARA addressing these three fundamental flaws. An amendment by Representative Henry A. Waxman would have required agencies, and not the partisan Office of Management and Budget [OMB], to perform the bill's required program assessments. An amendment by Representative Ed Towns would have enhanced transparency by requiring a notice and comment process prior to the conducting of assessments. Another amendment by Representative Ed Towns would have sunsetted the bill in the year 2013. Because these three amendments were rejected, I cannot support PARA as reported by the Committee on Government Reform.

PARA expands on the requirements of the Government Performance and Results Act [GPRA]. GPRA requires agencies to set annual goals and measure their performance in achieving those goals. PARA adds a periodic 5-year review to provide a detailed analysis at the individual program level.

As drafted, this bill deviates from GPRA in one significant respect. Instead of requiring agencies to set performance goals and evaluate the performance of their programs, PARA requires the White House, through the OMB, to pick the criteria and evaluate performance. The Waxman amendment sought to fix this problem.

When Congress passed GPRA, it clearly wanted the agencies to set the goals and measures, not OMB. The Government Accountability Office [GAO] highlighted this issue when it reviewed the administration's Program Assessment Rating Tool [PART], upon which the bill before us is based. When explaining that OMB intends to modify GPRA goals and measures in order to align them with the PART, GAO found that "OMB's judgment about appro-

priate goals and measures is substituted for GPRA judgments based on a community of stakeholder interests,” including Congress.¹

Congress expresses its priorities through statutes authorizing agency activities. But OMB is not tasked with implementing those statutes. Instead, OMB implements the priorities of the White House. In fact, many agencies, and especially those charged with protecting public health, worker safety, and the environment, view OMB as hostile to the agencies’ fundamental missions.

OMB has a history of using the PART review to criticize congressional actions and priorities. OMB rated the Community Development Block Grant program as “ineffective” and proposed its virtual elimination in the fiscal year 2006 budget. OMB, in its PART analysis, partially blamed Congress. OMB explained that the programs mission is not clear because “throughout CDBG’s legislative history there has been ambiguity.”² Similarly, OMB criticized the acid rain program, created under the 1990 Clean Air Act Amendments and widely regarded as a tremendously successful program and a model for environmental regulations. OMB penalized this program for complying with its explicit statutory directives from Congress. OMB’s rationale for downgrading the acid rain program states that these identified program deficiencies would be fixed if Congress passed the President’s proposal to amend the Clean Air Act.³

In addition to ignoring the will of Congress, OMB does a poor job assessing programs. HOPE VI has been found to be effective by the Urban Institute and the Brookings Institution, as well as the GAO and the HUD Inspector General. Yet OMB in its fiscal year 2006 gave the HOPE VI an “ineffective” rating, and then used its rating to justify defunding the program in the fiscal year 2006 budget. Also, OMB rated the Superfund removal program as “results not demonstrated” because OMB did not agree with EPA’s measure of success. The Superfund program clearly has been a success. It has cleaned up thousands of hazardous waste sites since its creation in 1980 and it is a critically important program that addresses threats ranging from polluted groundwater to radioactive waste.

In conclusion, PARA is a flawed evaluation tool that usurps the traditional role of Congress in evaluating the effectiveness of programs, allowing OMB to effectively overrule Congress and set the goals for federal agency activities.

II. LEGISLATIVE HEARINGS

H.R. 5766, the Government Efficiency Act

H.R. 5766 would have created partisan commissions empowered to propose eliminating or privatizing critical government programs and require that those proposals be considered by Congress under expedited procedures. Under this bill, any program the President did not like could have been put on the chopping block under fast-

¹ Government Accountability Office, Performance Budgeting: Observations on the Use of OMB’s Program Assessment Rating Tool for the Fiscal Year 2004 Budget, 6 (January 2004) (GAO-04-174).

² Office of Management and Budget, Fiscal Year 2006 Budget of the U.S. Government, Program Assessment Rating Tool, PART Performance Measurements, Housing and Urban Development, 16 (February 2005).

³ *Id.*, Environmental Protection Agency, 3-15.

track procedures. This bill was a backdoor attack on Federal programs that support our most vulnerable citizens including seniors, children, and the disabled.

H.R. 3282, the Abolishment of Obsolete Agencies and Federal Sunset Act of 2005

H.R. 3282 would have jeopardized the existence of every Federal agency and program, no matter how important. This bill would have automatically abolished every agency within 12 years. An agency would only be saved if Congress acted to reauthorize the agency.

This bill would have radically altered the balance of power between Congress and the President. Every Federal agency would have been abolished if Congress did not act to reauthorize the agency on a set schedule.

H.R. 1167, to amend the Truth in Regulating Act to Make Permanent the Pilot Project for the Report on Rules

The bill as introduced had the potential effect of hurting GAO's ability to carry out its primary mission of answering to Members of Congress. GAO currently does not have adequate resources to accept all congressional requests. This concern was largely addressed by the Waxman amendment, which was unanimously passed in committee. Concerns about the purpose of H.R. 1167 are described in more detail in the minority views filed with the committee's September 13, 2006, report on this legislation (H. Rept. 109-652).

PART TWO: OVERSIGHT ACTIVITIES

I. FULL COMMITTEE

Jack Abramoff's Lobbying of the White House

The majority report does not include any reference to the committee's investigation of Jack Abramoff's lobbying of the White House. This investigation, which commenced in the wake of numerous guilty pleas by Jack Abramoff and his lobbying associates relating to fraud and public corruption, resulted in a staff report jointly released by Chairman Davis and Ranking Member Waxman on September 29, 2006. Relying on billing records and emails supplied by Jack Abramoff's former firm, the report documented hundreds of contacts between Mr. Abramoff's lobbying team and the Bush White House.

In March 2006, the committee requested billing records and e-mail communications of Mr. Abramoff and his associates at his lobbying firm, Greenberg Traurig L.L.P., relating to their lobbying contacts with the White House. The e-mail and billing data provided to the committee by Greenberg Traurig spanned over 3 years and amounted to more than 14,000 pages.

The billing records and emails show a much closer relationship between the White House and the Abramoff team than had been previously known. According to the documents, Abramoff and his team had 485 lobbying contacts with White House officials between January 2001 and March 2004. These include contacts with Karl Rove, senior advisor to the President, Ken Mehlman, the White

House political director, as well as officials in the White House Offices of Intergovernmental Affairs and Legislative Affairs. More than half of the in-person interactions described in the documents involved meals or drinks with White House officials.

If what the documents describe is accurate, there is evidence that White House officials took multiple actions to benefit Mr. Abramoff and his clients, including ensuring the release of \$16 million for the construction of a jail for the Mississippi Band of the Choctaw, pressuring a Senate office to advance legislation to resolve a land dispute affecting the Sandia Pueblo of New Mexico, endorsing or declining to endorse political candidates, and intervening to secure the termination of a State Department employee who had taken positions contrary to those advocated by Mr. Abramoff.

In addition to the lobbying contacts, the documents show that Mr. Abramoff and his team offered White House officials tickets to 19 sporting events and concerts. These included tickets for floor-level seats at Wizards basketball games, ice-level seats at Capitals hockey games, box seats at Orioles games, as well as tickets for U2 and Bruce Springsteen concerts.

Iraq Contracting

The majority's summary of the committee's oversight of Iraq contracting states, "The committee has engaged in continuous and vigorous oversight of contract activities in Iraq over the past 3 years." In fact, the full committee held just one hearing on Iraq contracting during the 109th Congress, despite numerous requests from the minority, and this hearing occurred near the end of the 109th Congress. However, the majority did join the minority in requesting that the Government Accountability Office examine Halliburton's compensation under the Restore Iraqi Oil contract and in obtaining audits and compensation documents for a number of other Iraq contracts. Cooperation during the 110th Congress could enhance the committee's efforts to vigorously oversee the contracts in Iraq.

Hearing entitled, "Making the Grade? Examining District of Columbia Public Schools Reform Proposals," April 28, 2006

Questioning at the hearing elicited testimony regarding the root of the designation of the District of Columbia Public Schools as a "high-risk" grantee by the U.S. Department of Education. This testimony pointed out that, as a city without a State, the District does not have a full and independent State education oversight mechanism. It is worth noting that only the District and the U.S. territories—none of which are parts of States or have voting representation in Congress—have been designated high risk. The fact that the Department of Education assigned the most severe designation without exhausting available intermediate steps with DCPS raises basic questions of fairness.

Hearing entitled, "Northern Lights and Procurement Plights: The Effect of the ANC Program on Federal Procurement and Alaska Native Corporations," June 21, 2006

The description in the majority report is accurate. In addition, at the hearing, Ranking Member Waxman referred to "Dollars, Not Sense: Government Contracting Under the Bush Administration."

This report, prepared at the request of Ranking Member Waxman, finds that between 2000 and 2005, procurement spending increased by over \$175 billion, making Federal contracts the fastest growing component of Federal discretionary spending. The report concludes that procurement spending is accelerating rapidly, contract management is widespread, and the costs to the taxpayer are enormous. The report identifies 118 Federal contracts worth \$745.5 billion that have been found by government officials to include significant waste, fraud, abuse, or mismanagement.

Hearing entitled, "Code Yellow: Is the DHS Acquisition Bureaucracy a Formula for Disaster?" July 27, 2006

The description in the majority report is accurate. In addition, on the same day as the hearing, Chairman Davis and Ranking Member Waxman released a report assessing the administration's record on homeland security contracts. The report, entitled, "Waste, Abuse, and Mismanagement in Department of Homeland Security Contracts," describes a pattern of reckless spending, poor planning, and ineffective oversight that is wasting taxpayer dollars and undermining homeland security efforts. According to the report, non-competitive contracts have soared over 700 percent in just 3 years, and the total value of the Department's wasteful contracts exceeds \$34 billion.

Hearing entitled, "CSI Washington: Does the District Need Its Own Crime Lab?" September 22, 2006

The majority report omits discussion of the burden that the absence of a forensics lab in the District of Columbia places on the Federal Bureau of Investigation [FBI]. Because the District of Columbia has limited forensic capabilities, it relies on the FBI forensic crime lab located in Quantico, VA. The FBI estimates that 30 percent of its overall workload comes from the District. Moreover, the District of Columbia continues to lag far behind in closing violent crime cases because it is not able to benefit from advancements in DNA and the creation of DNA database due to a lack of an adequate State/local forensic laboratory. While other jurisdictions are eliminating their DNA backlog and are looking to begin DNA analysis on more than just violent crimes, the District has about 1,500 sexual assault cases backlogged and is also expecting the violent crime backlog to grow between 100–200 cases a year, until the new consolidated lab is operational.

II. SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY, AND HUMAN RESOURCES

Hearing entitled, "Harm Reduction or Harm Maintenance: Is There Such a Thing as Safe Drug Abuse?" February 16, 2005

The majority offers a distorted description of the purpose and effect of syringe exchange programs and other harm reduction strategies aimed at reducing the risk of disease transmission—most notably, HIV and hepatitis—and/or overdose among intravenous drug users. Minority members and minority witnesses—Chris Beyrer, Robert Newman, and Peter Bielsenson—cited the overwhelming body of scientific research that demonstrates that syringe exchange

is effective in reducing HIV transmission rates among intravenous drug users and do not increase drug use; they also argued that syringe exchange programs can be an effective portal to drug treatment, HIV-testing, and other valuable healthcare services. A May 25, 2005, letter from full Committee Ranking Member Waxman to Office of National Drug Control Policy Director John Walters summarizes the scientific literature on the efficacy of needle exchange, and is attached to these views as well as available online at <http://www.democrats.reform.house.gov/Documents/20050525110831-63007.pdf>.

Hearing entitled, "RU-486: Demonstrating a Low Standard for Women's Health," May 17, 2006

Although some women have died from a *C. sordellii* infection after taking mifepristone, it is not clear whether mifepristone was the cause of any of these infections. The medical literature shows that *C. sordellii* infections and deaths have occurred in men, women, and children. Victims have included newborns; injection drug users; women who had just given birth; and children and adults who experienced trauma such as a broken limb. As of the date of the hearing, there were approximately 30 reported cases of *C. sordellii* fatalities in the medical literature, including the medical abortion cases noted by the majority. Nine cases occurred in women who had just given birth and two occurred after miscarriages. The FDA and independent medical researchers agree that more research is needed into the cause of *C. sordellii* infection.

Report on Abstinence

The majority's staff report, released 2 years after the minority staff investigation of curricula used in federally-funded abstinence-only programs, does not effectively rebut the original report's findings. In November 2006, GAO released a report finding that HHS conducts little to no oversight of the scientific accuracy of information included in Federal abstinence-only programs. GAO also found that there is no substantial evidence base to support the effectiveness of abstinence-only programs in promoting public health outcomes for youth.

III. SUBCOMMITTEE ON ENERGY AND NATURAL RESOURCES

Hearing entitled, "Methyl Bromide: Are U.S. Interests Being Served by the Critical Use Exemption Process?" February 15, 2006

The majority's summary of the issues addressed in this hearing omits a number of important points about ozone-depleting substances, methyl bromide use, and exemptions for "critical uses."

First, the Montreal Protocol is widely regarded as the single most successful environmental treaty. Depletion of the ozone layer is a grave threat to human health and the environment, but due to the Protocol, the ozone layer is slowly starting to heal. The majority's approach to this issue raised questions about whether the Protocol or the United States' compliance with it should be revisited. Yet it would be a terrible mistake to act in any way to undermine the Protocol or the phase-out of ozone depleting substances.

Second, methyl bromide is the most potent ozone-destroying chemical that continues to be used in large quantities. It is also a highly potent biocide with risks to human health, particularly farm-workers, so there are multiple reasons to reduce its use. According to the minority witness, the methyl bromide exemptions allowed in 2005 and 2006 will cause more than 20 deaths from skin cancer, more than 4,000 other skin cancer cases, and more than 1,400 cataract cases, in the United States alone, and far more world-wide.

Finally, there are significant concerns about the administration's use of the "critical use" exemption under the Protocol. The minority witness testified that "U.S. Government data show that the amount of methyl bromide actually used for all fumigation purposes in 2003 was nearly 25 percent less than the amount claimed to be critical in 2005," indicating that the United States is asking for more new production of methyl bromide than would actually be used. Moreover, methyl bromide producers currently have very large amounts of methyl bromide stockpiled, which means that no new production is actually needed under the "critical use" exemption. According to the minority witness, "data show that just five U.S. producers and distributors held a huge methyl bromide stockpiles equaling at least 22 million pounds," while at least 24 other companies also held methyl bromide stockpiles.

Royalty Relief and Price Thresholds

In its description of the subcommittee's examination of circumstances surrounding the absence of price thresholds from deep-water leases in 1998 and 1999, the majority identifies certain individuals in the Department of the Interior as being responsible for this problem. Earl Devaney, Inspector General of the Department of the Interior, reviewed this matter as well, and testified at the subcommittee's September 13, 2006, hearing that he did not find a "smoking gun" pinpointing blame on any one individual regarding the lease issue. Mr. Devaney also commented more broadly on his 7 years of experience at the Department, asserting that the culture at the Department of the Interior is one that "sustains managerial irresponsibility and a lack of accountability," and that, "short of a crime, anything goes at the highest levels of the Department of the Interior."

Global Climate Change

Throughout the majority's description of energy issues that have arisen in various subcommittee hearings, the majority omits discussion of one of the most pressing issues in energy policy: the effect of our current carbon-based energy sources, such as oil and coal, on global warming. This issue is central to many of the questions examined by the subcommittee relating to U.S. energy consumption and oil dependence, energy geopolitics, and energy efficiency. Energy policy discussions that fail to take global warming into account are unlikely to produce the policies necessary to address this urgent and serious threat.

IV. SUBCOMMITTEE ON FEDERAL WORKFORCE AND AGENCY ORGANIZATION

Hearing entitled, "Yucca Mountain Project: Have Federal Employees Falsified Documents," April 5, 2005

The majority stated in its summary of this hearing that, "The Department of Energy [DOE] announced Wednesday, March 16, 2005, that Federal employees of the U.S. Geological Survey [USGS] falsified data used in scientific studies at the proposed Yucca Mountain nuclear waste project in Nevada."

In actuality, on March 16, 2005, DOE announced that, "certain employees of the U.S. Geological Survey [USGS] at the Department of the Interior working on the Yucca Mountain project may have falsified documentation of their work." Additionally, after a thorough investigation, in February 2006, DOE issued a report entitled, "Evaluation of Technical Impact on the Yucca Mountain Project Technical Basis Resulting From Issues Raised by E-mails of Former Project Participants." The report confirmed the technical soundness of infiltration modeling work performed by USGS employees. Neither DOE, nor the subcommittee, after a year of investigation, found evidence to substantiate that Federal employees at the USGS falsified documents.

V. SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS, AND INTERNATIONAL RELATIONS

Hearing entitled, "Private Security Firms: Standards, Cooperation and Coordination on the Battlefield," June 13, 2006

The majority's summary of the hearing on private security firms operating in Iraq is accurate but incomplete. Aside from the issues discussed in the summary, the minority repeatedly raised questions about the lack of transparency of government contracts and subcontracts with security firms, as well as the possible criminal conduct of private contractors in Iraq. Moreover, the summary does not address the subcommittee's unsuccessful attempts to obtain relevant documents from the administration and Blackwater USA.

Representative Waxman first raised concerns about Blackwater USA's role as a subcontractor under Halliburton's LOGCAP troop support contract in a November 30, 2004, letter to the U.S. Army Field Support Command. In that letter, Representative Waxman cited reports by the News & Observer that Blackwater was serving as a third-tier subcontractor under Halliburton's LOGCAP contract. He sought a breakdown of how much each contractor in the tier was paid for the security services being provided by Blackwater. He also requested copies of the subcontracts, invoices, and other documentation.

On December 21, 2004, General Jerome Johnson of the Army Field Support Command sent a pro forma response, saying he had forwarded the request to "the Office of the Secretary of Defense for formal staffing and response."

At the June 13, 2006, hearing, Representative Waxman proposed issuing a subpoena to obtain the documents requested in November 2004. Rather than hold a vote on this motion, Subcommittee Chairman Christopher Shays asked Representative Waxman to with-

draw his motion, promising that the documents would be delivered within 2 weeks. Chris Taylor, vice president of Blackwater USA, also was directed to provide relevant contract documents.

A month later, on July 14, 2006, Army Secretary Francis J. Harvey sent a letter in response to the document request. No contract documents were provided. Similarly, on July 14, 2006, Mr. Taylor sent Blackwater's response to certain questions posed at the hearing, but he provided none of the contract documents requested at the hearing. In addition, the government witnesses failed to answer the questions for the record submitted by Members.

In his letter, the Secretary of the Army asserted that the Army had no knowledge of any subcontracts for security services under Halliburton's LOGCAP contract. The Army Secretary pointed out that the LOGCAP contract explicitly prohibits such security subcontracts, and that the military theater commander never authorized them. Representative Van Hollen raised questions about this letter at a full committee hearing on September 28, 2006, and in response the Army witness testified repeatedly that she had researched the question thoroughly and stood by the Army Secretary's assertions.

The minority obtained new evidence, however, that contradicts the Army's letter and this sworn testimony. Specifically, the minority received information that a Halliburton subcontractor, ESS, entered into security subcontracts with Blackwater. According to a November 30, 2006, memorandum from ESS's parent firm, a British company called Compass Group, ESS had a subcontract under Halliburton's LOGCAP contract and used Blackwater "to provide security services" under that subcontract.

If the ESS memo is accurate, it appears that Halliburton entered into a subcontracting arrangement that is expressly prohibited by the contract itself. This raises serious concerns about whether it was proper for Halliburton to bill these services to the U.S. taxpayer. It also raises concerns about the failure of the Army to provide this information to the committee and the testimony of Army officials that subcontracts for these security services never occurred.

VI. SUBCOMMITTEE ON REGULATORY AFFAIRS

Hearing entitled, "OxyContin and Beyond: Examining the Role of FDA and DEA in Regulating Prescription Painkillers," September 13, 2005

This hearing was held at the request of Ranking Minority Member Stephen Lynch. OxyContin addiction and abuse has severely affected the Boston area as well as many communities nationwide in recent years. This hearing examined what lessons FDA and DEA have learned from their experiences with OxyContin and how they are applying those lessons.

Hearing entitled, "Taking on Water: The National Park Service's Stalled Rulemaking Effort on Personal Watercraft," March 15, 2006

The majority report does not provide a complete description of this hearing. Ranking Minority Member Stephen Lynch highlighted

the need for the National Park Service to carefully and thoroughly analyze how personal watercraft will impact each national park still under consideration, including the potential impact on plants, wildlife, water and air quality, and other visitors.

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May 25, 2005

The Honorable John P. Walters
Director
Office of National Drug Control Policy
Executive Office of the President
Washington, DC 20503

Dear Mr. Walters:

Last month, my staff met with staff from the Office of National Drug Control Policy (ONDCP) to discuss needle exchange programs. At this meeting, the ONDCP staff appeared unaware of the extensive scientific evidence and expert opinion that supports needle exchange programs as an effective public health intervention. In fact, your staff asked my staff for references to expert statements that support the effectiveness of these programs.

This letter responds to ONDCP's request for information about needle exchange programs. Since 1991, there have been at least 17 major reviews and assessments of needle exchange programs by expert bodies such as the National Commission on AIDS, the Institute of Medicine, the National Institutes of Health, the Centers for Disease Control, the American Medical Association, the American Society of Addiction Medicine, and the World Health Organization. These assessments have found that needle exchange programs help reduce the spread of AIDS and other dangerous infectious disease without encouraging or increasing drug use. In fact, according to experts, needle exchange programs provide valuable opportunities to reduce illegal drug use.

In part as a result of these conclusions, needle exchange programs have been endorsed by a wide range of expert scientific and medical organizations, including the American Academy of Family Physicians,¹ the American Academy of Pediatrics,² the American Academy of Physician

¹ American Academy of Family Physicians, *Substance and Alcohol Abuse and Addiction* (2003) (online at <http://www.aafp.org/x7096.xml>).

² American Academy of Pediatrics, Provisional Committee on Pediatric AIDS, *Reducing the Risk of Human Immunodeficiency Virus Infection Associated with Illicit Drug Use*, Pediatrics, 94:5-7 (Dec. 1994) (online at <http://aappolicy.aappublications.org/cgi/reprint/pediatrics/94/6/945.pdf>).

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Assistants,³ the American College of Preventive Medicine,⁴ the American Medical Association,⁵ the American Nurses Association,⁶ the American Psychological Association,⁷ the Association of Nurses in AIDS Care,⁸ and the Infectious Diseases Society of America.⁹

In chronological order, expert reviews and assessments of needle exchange programs include the following:

- In 1991, the **National Commission on AIDS**, whose members included then-Secretary of Defense Richard B. Cheney, convened a hearing on drug use and HIV. Based on the testimonies of expert witnesses at the hearing and a review of scientific evidence, the Commission issued a report that found:

Outreach programs which operate needle exchanges and distribute bleach not only help to control the spread of HIV, but also refer many individuals to treatment

³ American Academy of Physician Assistants, *Needle/Syringe Access for the Prevention of HIV Transmission* (policy paper adopted 2003) (online at http://www.aapa.org/policy/needle_access.html).

⁴ American College of Preventive Medicine, *Public Policy on Needle-Exchange Programs to Reduce Drug-Associated Morbidity and Mortality*, *American Journal of Preventive Medicine*, 173-5 (2000) (online at <http://www.acpm.org/ajpm369.pdf>).

⁵ American Medical Association, *Syringe and Needle Exchange Programs* (Policy Statement H-95.958) (online at http://www.ama-assn.org/apps/pf_new/pf_online?f_n=resultLink&doc=policyfiles/HnE/H-95.958.HTM&s_t=syringe+and+needle+exchange+programs&catg=AMA/HnE&catg=AMA/BnGnC&catg=AMA/DIR&&nth=1&&st_p=0&nth=1&).

⁶ American Nurses Association, *Position Statement: Needle Exchange and HIV* (effective Apr. 2, 1993) (online at <http://nursingworld.org/readroom/position/blood/blnedl.htm>).

⁷ American Psychological Association, *APA Council Endorses Fair-Testing Code, Forms New Working Group, among Other Actions* (Apr. 4, 2001) (online at <http://www.apa.org/monitor/apr04/endorses.html>).

⁸ Association of Nurses in AIDS Care, *Position Statement: Needle and Syringe Exchange* (rev. Sept. 2002) (online at http://www.anacnet.org/media/pdfs/PS_Needle_Syringe_Exch_4-2003.pdf).

⁹ Infectious Diseases Society of America, *Supporting Document for IDSA's Policy Statement on Syringe Exchange, Prescribing and Paraphernalia Laws* (Oct. 5, 2001) (online at http://www.idsociety.org/Content/ContentGroups/Public_Statements_and_Policies1/Statements/Supporting_Document_for_IDSA's_Policy_Statement_on_Syringe_Exchange,_Prescribing_and_Paraphernalia_L.htm).

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programs Most significantly, these programs, rather than encouraging substance use, lead a substantial number of substance users to seek treatment.¹⁰

- In 1995, a report prepared by a joint panel of the **National Research Council** and the **Institute of Medicine** reviewed the available evidence on needle exchange programs and concluded: "Needle exchange programs reduce the spread of HIV — the virus that causes AIDS — without increasing either the injection of illegal drugs among program participants or the number of new initiates to injection drug use."¹¹
- In 1997, a Consensus Panel convened by the **National Institutes of Health** concluded:

An impressive body of evidence suggests powerful effects from needle exchange programs. The number of studies showing beneficial effects on behaviors such as needle sharing greatly outnumber those showing no effects. There is no longer doubt that these programs work Does needle exchange promote drug use? A preponderance of evidence shows either no change or decreased drug use.¹²
- In 1997, the Council on Scientific Affairs of the **American Medical Association** issued a report on the medical and scientific literature on needle exchange programs that found:

There is substantial evidence of reduced needle-sharing among regular participants in needle-exchange programs. More importantly, HIV infection rates among drug users have been consistently lower in cities with needle-exchange programs For example, while the HIV infection rate among injection drug users remained 1% to 2% in the Scottish city of Glasgow, where a needle-exchange program was quickly established, it reached 70% in nearby Edinburgh, where the response of government officials was to implement even more stringent controls over injection equipment.¹³

¹⁰ National Commission on Acquired Immune Deficiency Syndrome, *The Twin Epidemics of Substance Use and HIV* (July 1991) (online at <http://www.dogwoodcenter.org/references/studies91F.html#RECOMMENDATION%202>).

¹¹ National Academies, *Needle Exchange Programs Reduce HIV Transmission among People Who Inject Illegal Drugs* (Sept. 18, 1995) (online at <http://www4.nationalacademies.org/news.nsf/isbn/0309052963?OpenDocument>).

¹² National Institutes of Health, *Interventions to Prevent HIV Risk Behaviors* (Feb. 11–13, 1997) (Consensus Statement No. 104) (online at http://consensus.nih.gov/cons/104/104_statement.htm).

¹³ American Medical Association, *Report 8 of the Council on Scientific Affairs (A-97)* (June 1997) (online at <http://www.ama-assn.org/ama/pub/category/13636.html>).

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- In 1997, the **American Public Health Association** stated that “an enormous body of published research” exists “attesting to the efficacy of clean needle exchange for reducing HIV transmission among drug users. Moreover, study after study has shown that needle exchange does not lead to an increase of illegal drug use.”¹⁴
- In 2000, the **U.S. Surgeon General** and other senior scientists at the **Department of Health and Human Services** reviewed scientific research completed since April 1998 on needle exchange programs. In a published summary of the review, the Surgeon General announced:

After reviewing all of the research to date, the senior scientists of the Department and I have unanimously agreed that there is conclusive scientific evidence that syringe exchange programs, as part of a comprehensive HIV prevention strategy, are an effective public health intervention that reduces the transmission of HIV and does not encourage the use of illegal drugs.¹⁵

- In 2000, the **Institute of Medicine** released a report on the findings of a committee it had convened at the request of the Centers for Disease Control to conduct a comprehensive review of current HIV prevention efforts in the United States. The report described the evidence on needle exchange programs as “compelling” and cited a study that suggested that “expanded provision of needle exchange programs in the United States could have averted between 10,000 and 20,000 new infections over the past decade.”¹⁶ According to the report:

Although many communities and law enforcement officials have expressed concern that increasing availability of injection equipment will lead to increased drug use, criminal activity, and discarded contaminated syringes, studies have found no scientifically reliable evidence of these negative effects.¹⁷

¹⁴ American Public Health Association, *American Public Health Association Supports Lifting Federal Ban on Funding for Needle Exchange* (Aug. 20, 1997) (online at <http://www.apha.org/news/press/1997/needle.htm>).

¹⁵ U.S. Department of Health and Human Services, *Evidence-Based Findings on the Efficacy of Syringe Exchange Programs: An Analysis of the Scientific Research Completed since April 1998* (Mar. 17, 2000).

¹⁶ Institute of Medicine, *No Time to Lose: Getting More from HIV Prevention*, 114–5 (2000) (online at <http://books.nap.edu/books/0309071372/html/1.html#pagetop>).

¹⁷ Institute of Medicine, *No Time to Lose: Getting More from HIV Prevention*, 114–5 (2000) (online at <http://books.nap.edu/books/0309071372/html/1.html#pagetop>).

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- In 2000, the **Academy for Educational Development**, in a policy report prepared in collaboration with the **Centers for Disease Control**, observed that much research had been conducted on needle exchange programs. Citing this research, the report concludes that “SEPs [syringe exchange programs] have significant positive effects on preventing adverse health consequences associated with injection drug use and ... do not increase drug use or promote the initiation of injection drug use.”¹⁸
- In 2000, the **American Society of Addiction Medicine** reported that “[n]eedle exchange programs have been shown to be a crucial component of a spectrum of HIV prevention services to injection drug users, resulting in an effective reduction in the transmission of the Human Immunodeficiency Virus.” The Society of Addiction Medicine also reported that “[t]here has not been an increase in drug use or an increase in injection as a route of drug administration as a result of implementation of needle exchange programs, nor has there been demonstration of an increase in contaminated injection equipment in the community.”¹⁹
- In 2002, the **Centers for Disease Control** summarized scientific studies of needle exchange programs. CDC explained: “SEPs have been shown to be an effective way to link some hard-to-reach IDUs [intravenous drug users] with important public health services, including TB and STD treatment. Through their referrals to substance abuse treatment, SEPs can help IDUs stop using drugs. Studies also show that SEPs do not encourage drug use among SEP participants or the recruitment of first-time drug users.”²⁰
- In 2002, the **National Institute on Drug Abuse** published a research-based guide to preventing HIV in drug-using populations. Concerning needle exchange programs, the guide stated: “Evaluations of these programs indicate that they are an effective part of a comprehensive strategy to reduce the injection drug use-related spread of HIV and other blood-borne infections. In addition they do not encourage the use of illicit drugs.”²¹

¹⁸ Academy for Educational Development, *A Comprehensive Approach: Preventing Blood-Borne Infections among Injection Drug Users*, A7 (Dec. 2000) (online at <http://www.thebody.com/cdc/pdfs/comprehensive-approach.pdf>).

¹⁹ American Society of Addiction Medicine, *Public Policy of ASAM: Access to Sterile Syringes and Needles* (adopted Dec. 20, 2000) (online at <http://www.asam.org/ppol/Needle%20Exchange.htm>).

²⁰ Centers for Disease Control, *Syringe Exchange Programs* (Jan. 2002) (online at http://www.cdc.gov/idu/facts/aed_idu_syr.htm).

²¹ National Institutes of Health, National Institute on Drug Abuse, *Principles of HIV Prevention in Drug-Using Populations: A Research-Based Guide* (Mar. 2002).

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- In 2002, a Consensus Panel convened by the **National Institutes of Health** on management of hepatitis C found that “needle and syringe exchange programs . . . have been shown to be effective in preventing HIV transmission and are likely to be useful for decreasing HCV transmission.”²² The panel recommended: “Institute measures to reduce transmission of HCV among IDUs, including providing access to sterile syringes through needle exchange, physician prescription, and pharmacy sales.”²³
- In 2003, the head of the HIV/AIDS unit of the **International Federation of Red Cross and Red Crescent Societies**, stated: “There is clear scientific evidence that needle exchange programmes work. They help contain the HIV/AIDS pandemic, and in a very cost effective way. Evidence is also clear that these programmes do not promote drug use.”²⁴
- In 2004, the **Association of State and Territorial Health Officials**, together with the **National Alliance of State and Territorial AIDS Directors**, the **National Association of County and City Health Officials**, and the **Council of State and Territorial Epidemiologists**, stated that “[s]cientific evidence demonstrates that needle exchange programs and pharmacy sales of sterile syringes can be effective public health strategies to reduce the transmission of injection-related HIV infection without increasing drug use.”²⁵
- In 2004, Dr. Elias A. Zerhouni, Director of the **National Institutes of Health**, wrote a letter to members of Congress in response to an inquiry about the scientific evidence on syringe exchange programs. The letter stated: “A number of studies conducted in the U.S. have shown that SEPs do not increase drug use among participants or surrounding community members and are associated with reductions in the incidence of HIV, hepatitis B, and hepatitis C in the drug-using population.”²⁶

²² National Institutes of Health, *Management of Hepatitis C: 2002* (June 10–12, 2002) (online at http://consensus.nih.gov/cons/116/091202116cdc_statement.htm#5).

²³ *Id.*

²⁴ International Federation of Red Cross and Red Crescent Societies, *Spreading the Light of Science: Guidelines on Harm Reduction Related to Injecting Drug Use*, 53 (2003) (online at http://www.ifrc.org/cgi/pdf_pubs.pl?health/hiv aids/harm_reduction.pdf).

²⁵ Association of State and Territorial Health Officials, *Position Statement: Guiding Principles for HIV Prevention* (approved June 18, 2004) (online at http://www.astho.org/policy_statements/HIV%20Position%20Statement.pdf).

²⁶ Letter from NIH Director Dr. Elias A. Zerhouni to Reps. Henry A. Waxman and Elijah E. Cummings (Oct. 7, 2004).

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- In 2004, a policy brief from the **World Health Organization** discussed the evidence obtained from a review of more than 200 studies on needle and syringe exchange programs. The policy brief reported:

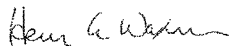
There is compelling evidence that increasing the availability and utilization of sterile injecting equipment for both out-of-treatment and in-treatment injecting drug users contributes substantially to reductions in the rate of HIV transmission. ... There is no convincing evidence of major unintended negative consequences of programmes providing sterile injecting equipment to injecting drug users, such as initiation of injecting among people who have not injected previously, or an increase in the duration or frequency of illicit drug use or drug injection.²⁷

- In 2004, the **Joint United Nations Programme on HIV/AIDS** noted that "[a] review comparing HIV prevalence in cities across the globe with and without needle and syringe programmes found that cities which introduced such programmes showed a mean annual 19% decrease in HIV prevalence. This compares with an 8% increase in cities that failed to implement prevention measures."²⁸

As I understand it, ONDCP does not currently support needle exchange programs. I would hope that the information in this letter will change your position.

If your position does not change, I would respectfully request an explanation of the scientific basis of ONDCP's position. In addition, if you believe that any of the sources I have cited are in error or are not reliable, I would request an explanation of the errors that you have identified.

Sincerely,



Henry A. Waxman
Ranking Minority Member

²⁷ World Health Organization, *Policy Brief: Provision of Sterile Injecting Equipment to Reduce HIV Transmission* (2004) (online at <http://www.wpro.who.int/NR/rdonlyres/BA463DB4-2390-4964-9D86-11CBABCC9DA9/0/provisionofsterileen.pdf>).

²⁸ United Nations Programme on HIV/AIDS, *2004 Report on the Global AIDS Epidemic*, 85 (June 2004) (online at http://www.unaids.org/bangkok2004/GAR2004_pdf/Chapter4_prevention_en.pdf).